

Revised LUPAA Development Assessment Panels Bill 2025

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From: Frances Butler
Sent: Friday, 4 April 2025 10:17 AM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP

I am writing to advise that I do not support DAPs. There is no need as the current system is quite adequate. In fact I believe it is dangerous to increase Ministerial power and remove planning control from Local Government and remove planning appeals processes.

It is extraordinarily crucial now, more than ever before to listen to the voters - we who live here, not big business about how Lutruwita / Tasmania should be cared for. If we do not curtail unnecessary development, and especially development which encroaches into our natural areas, we will have no natural environment left - not for us to enjoy, not to attract tourism, not to leave to our descendants.

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

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities.** Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications

not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.

- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.
- **Research demonstrates DAPs are pro-development and pro-government**, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be

assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

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

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

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

2025 legislation not significantly changed

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

Say yes to a healthy democracy

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

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

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

Yours sincerely,

Frances Butler

From: Mike Willson
Sent: Friday, 4 April 2025 9:49 AM
To: State Planning Office Your Say
Cc:

Subject: Protect our democratic rights & our community voices – so #SCRAPTHEDAP

Dear State Planning,

I am shocked and appalled that our State Government is again trying to force such autocratic and undemocratic DAPs on our Communities - taking away our hard earned rights to voice our opinions about planning matters that affect us deeply.

We as Tasmanians do not authorise this Government or any Government to take away our rights in this way. It is unacceptable and should be rejected as it will never satisfy the people of Tasmania - it is not a just, inclusive and democratic process which we expect and demand.

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

I strongly oppose the creation of Development Assessment Panels (DAPs) which increases Ministerial powers over our planning system. It excludes us from public comment over development applications that directly affect us - this is not Russia - nor the USA - thank God!

We demand our democratic rights are not eroded in such a brazen and corrosive manner, suggestive of future bribery and corruption intents by developers get their way- I am disgusted and the Government should be ashamed of itself and issue a public apology for pedalling such restrictive practices.

I reject the DAPs and Ministers deciding matters that suit their Agenda (not ours - when they are our elected representatives to look after our interests - not theirs!) not cosy Developer arrangements for the following reasons:

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

permit appeals of planning scheme non-compliance which is absurd. It also prohibits most Tasmanians from any appeal on financial grounds alone as they cannot afford the high cost of taking Supreme Court action.

- **Removing merits-based planning appeals has the potential to increase corruption and bribery, reduce good planning outcomes, favour developers and undermine our**

democracy. The NSW Independent Commission Against Corruption  recommended the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. This is not wanted or needed in Tasmania. 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 these DAPs favour developers and undermine democratic accountability.

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

- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning, controversial plans and increases risk of corrupt decisions.** The Planning Minister alone will decide if a development application meets the DAP criteria. The Minister alone 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 matters.
- **Eligibility criteria are so broad and undefined that it grants the Minister alone extraordinary powers that are arbitrary and unchecked. This is Undemocratic.** The Minister alone can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister alone has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers. This concentrates too much power in a single person's hands - feeding the temptation of corrupt or unjust outcomes.

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

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

- **Poor justification – there is no problem to fix.** Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. The existing system allows for mediation - DAPs don't. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage, when it is a failure of Government policy to support extra house building that has caused this problem.
- **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? There is no benefit to be gained except for developers, corruption, bribery and the Minister - concentrating power in their Office, all of which are unjustifiable, undemocratic and in some cases illegal.

2025 legislation not significantly changed

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

Say yes to a healthy democracy

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

As you can realise I am still fuming at this gross erosion of our precious and fragile democracy which is greatly revered by me and probably almost all Tasmanians apart from perhaps the Planning Minister?

Yours sincerely,

Mike Willson,

From: Jorge Álvarez-Romero
Sent: Friday, 4 April 2025 1:10 AM
To: State Planning Office Your Say
Cc:

Subject: Urgent Call to Protect Local Democracy from the 2025 DAPs Legislation

The 2025 revised DAPs legislation retains all the key flaws of the 2024 version that was refused by parliament. I strongly oppose the creation of Development Assessment Panels (DAPs) and the increase in ministerial power over the planning system for several critical reasons:

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

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

Research shows DAPs are pro-development and pro-government, rarely engaging deeply with local communities. They spend most of their time on smaller applications and take longer than local councils to make decisions. DAPs will facilitate the approval of large-scale contentious developments like the kunanyi/Mount Wellington cable car, high-rise buildings in Hobart, Cambria

Green, high-density subdivisions like Skylands at Droughty Point, and the proposed UTAS Sandy Bay campus redevelopment.

The removal of merit-based planning appeal rights via the planning tribunal on issues like biodiversity impacts, building height, bulk, scale, appearance, streetscapes, privacy, traffic, noise, smell, light, and more undermines the rule of law and democratic system of government based on checks and balances. Developments will only be appealable to the Supreme Court based on narrow points of law or process, which are prohibitively expensive.

Removing merit-based planning appeals increases the potential for corruption, reduces good planning outcomes, favors developers, and undermines democracy. The NSW Independent Commission Against Corruption recommended expanding merit-based planning appeals as a deterrent to corruption. Mainland experience shows planning panels favor developers and undermine democratic accountability.

Increased ministerial power over the planning system politicizes critical planning decisions such as rezoning and increases the risk of corrupt decisions. The Planning Minister will decide if a development application meets the DAP criteria and can force the initiation of planning scheme changes, threatening transparency and strategic planning. The eligibility criteria are broad and undefined, granting the Minister extraordinary, arbitrary, and unchecked power.

Poor justification – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal, and Tasmania's planning system is the fastest in Australia. The Government falsely blames the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage. Increasing complexity in an already complex planning system is unnecessary.

The changes made to the DAPs legislation that was refused by Parliament in November 2024 are not significant and all key flaws remain. The removal of the criterion that a project is likely to be 'controversial' has no impact because virtually any development can fit the remaining criteria. The dollar value thresholds have been increased, but projects under these values are still eligible under other broad and undefined criteria. The Tasmanian Planning Commission can issue guidelines, but the Minister only needs to 'consider' them. The amendment to allow DAPs to undertake mediation is ineffective as the Commission is inexperienced in mediation and no clear process or rights have been established for objectors.

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

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,

Jorge G. Alvarez-Romero, PhD

From: Paul Ibbott
Sent: Friday, 4 April 2025 2:48 PM
To: State Planning Office Your Say
Cc:

Subject: Submission - Draft Development Assessment Panel - Draft Bill 2025

[Redacted]

To the above named Addressees,

To my bitter disappointment, I find myself making another submission in relation to the Proposed 2025 DAP's Legislation, having addressed this matter in the previous 2024 Proposed Legislation which was defeated by a sound majority of clear thinking and concerned Members of the Upper House.

Disappointed, Disgusted and Frustrated are the words best used to describe my feelings in relation to this and other proposed Legislation aimed clearly at removing the rights of persons to contest where appropriate, Legislation presented to Parliament which does not accord with an individuals point of view for whatever reason. The right to constructively question proposals to Legislate on any matter are rights of all citizens of Australia, and I remain 100% opposed to attempts to lessen those rights through any form of Authoritarianism of which this is clearly an example.

Tasmania is a very special, and in many ways unique, place and it is my greatest fear that the pressures of Commerce and Developers upon Governments at all levels shall result ultimately in destruction of the things that that make it so, given proposals to destroy our well ordered system of development assessment and approval, which are continually placed before the Parliament.

We enjoy an extraordinarily privileged lifestyle in Australia, largely as a result of the Democratic processes enshrined in our Constitution, and we should take all measures necessary to ensure that these processes continue to deliver worldclass outcomes and not be surrendered or weakened for the benefit of a privileged few.

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

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

from across the political spectrum say they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.

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

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

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

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

2025 legislation not significantly changed

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

amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

Say yes to a healthy democracy

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

Yours sincerely,

Paul R Ibbott

Past President - Master Builders Tasmania Inc.

Past National President - Master Builders Australia Inc.

Past President - Devonport Chamber of Commerce

From: ian hewitt
Sent: Saturday, 5 April 2025 6:45 PM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP

I am totally against the proposed DAP Bill.

I have had enough of this Government trying to remove People's voice through legislation that puts more power in their hands.

Tasmania is infamous for its lack of transparency and this legislation will just add to that.

Please vote against it.

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

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

- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.
- **Research demonstrates DAPs are pro-development and pro-government**, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on *'checks and balances'*.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a *'perceived conflict of interest'*, *'a real or perceived bias'*, *'the application relates to a development that may be considered significant'*. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

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

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

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

2025 legislation not significantly changed

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

Say yes to a healthy democracy

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

Yours sincerely,

Ian Hewitt

From: kate
Sent: Saturday, 5 April 2025 6:40 PM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice - #SCRAPTHEDAP

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

- Research shows that DAPs rarely engage deeply with local communities. The current planning approval system does indeed allow for local communities to contribute to the planning process and this aligns with true democratic process.
- Unlike the current appeals process the Tasmanian Planning Commission will not offer independent or transparent decision making. Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive. This change would also compromise true democratic process.
- Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions. The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning. Again, this change compromises true democratic process.

- The current planning application and approval system is working effectively and therefore does not require changing. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. I question the motivation for pushing this change. Who will most benefit from the change?

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

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

Yours sincerely,

Kate Tenni

From: Dorothy Darden
Sent: Saturday, 5 April 2025 5:02 PM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP

I live in South Hobart and am strongly of the opinion that Kunanyi must be protected from inappropriate commercial developments like cable cars, zip lines and restaurants and bars on the summit. Construction of cable cars and zip lines would dangerously impact the life of the people who live and work in the construction areas where streets are narrow, and the Hobart Rivulet and its wildlife are already struggling with the impacts from the surrounding urban area. If these developments are constructed, access to them by the public would be untenable, given the nature of the South Hobart area, with its narrow streets, schools, and invasive support systems that would accompany such a project.

The daily view of the Mountain from all areas of Hobart is a treasure that enriches our lives and reminds us that we live surrounded by immeasurable beauties from the sea to the mountain top. Construction that destroys this beauty would be a sad desecration from which it would be impossible to remedy.

The State Government's Development Assessment Plan legislation is an anti-democratic attempt to provide developers with an easier pathway for contentious projects such as the MWCC cable car. Our politicians work for the people of Tasmania, not for the developers who would benefit financially from projects that the local population do not want or need, and the tourism industry would provide a brief experience to its clientele, which would reduce the beauty and pleasure of our lives lived beneath a special, mostly unblemished mountain. How rare it is to live with a day-long view of our mountain, like no other. Please do not ruin it!!!!!!!!!!!!!!

Dorothy Darden
Resident of South Hobart

From: John Biggs
Sent: Saturday, 5 April 2025 3:20 PM
To: State Planning Office Your Say
Cc:

Subject: The MacPoint Stadium

AFL boss Gillon McLachlan said in effect: “If Tasmania wants an AFL team you will have to build a stadium to our specifications, including a roof, on the Macquarie Point site – nowhere else mind! – and within our timeline.”

Originally the AFL put the cost at \$750 million of which they would commit \$15 m. but if the stadium is not 50% completed by October 2027 the Tas Govt. would pay a fine of \$4.5 m. and another \$4.5 m. fine if it is not ready to host games by 2028.

And Premier Rockliff off his own bat without consulting Parliament, and without any attempt at negotiation, immediately agreed.

That was in 2021. Current estimates of the cost by Dr Gruen and by the Government’s own Tasmanian Planning Commission put the cost at well over \$1 billion, which does not include the complex logistics of bussing, parking spaces and ancillary needs. The Gruen Report and the TPC Report conclude that the stadium is grossly overpriced, badly designed and would be underutilised, making it a financial disaster. Tasmania cannot afford such a prospect particularly at this time of massive deficits and a bleak financial future as estimated by financial expert Saul Eslake.

There are a number of other objections: we have stadia already at York Park and Bellerive; the aesthetics are dreadful as it would present this huge unsightly object at the otherwise beautiful harbour entrance to Hobart's CBD, the noise would be very disturbing to residents in the area and it is feared this would ruin concerts in the Federation Hall just up the street from the stadium.

Small wonder then that a majority of Tasmanians are against the project according to very recent EMRS polling: 67 per cent of people in northern Tasmania, 63 per cent in Lyons, and in Franklin, the most pro-stadium electorate, people were evenly divided with 49 for and 48 against.

Yet whatever reasoned arguments and evidence are produced, Premier Rockliff and his Government swear they will go ahead, and now amazingly the Labor Party has given "unconditional support".

This is very strange indeed, recalling the days of the pulp mill, when both parties were for, the people were against, and the thing collapsed. Let us hope that the same will happen to this misguided, ill-advised white elephant.

It seems that the public and the major party politicians are singing from different song sheets, when the politicians are there to serve the public, not to indulge their own fancies, or those of the AFL.

John Biggs AM

From: John Biggs
Sent: Saturday, 5 April 2025 2:19 PM
To: State Planning Office Your Say
Cc:

Subject: Submission - Draft Development Assessment Panel - Draft Bill 2025

The proposed bill relating to the sale of UTAS land does not prevent a repeat of the land sale approval process used by the government, where there was a secret deal between the government and UTAS, with no business plan and sprung on parliament and the community to avoid scrutiny.

At the request of UTAS the bill doesn't stop the disposal of the campus by sale of 99 year leases. This was UTAS's preferred land sale mechanism used in their 2021 Masterplan.

The bill does not protect existing STEM facilities. Indeed, the bill *approves* for sale essential and valuable STEM facilities above Churchill Avenue such as the Life Science building and the 15 Plant Science greenhouses. The glasshouses are integral to Plant Science's world leading research.

The bill does not protect the environment – environmental considerations have in fact been ignored. A large area of native vegetation will be removed and native animals like swift parrots, which use the eucalyptus globulus trees, will be threatened by the proliferation of large apartment blocks.

I request you vote NO to this legislation when they come before you. The proposed legislation re the rezoning of Sandy Bay UTAS land means that UTAS will not need to go through the usual regulatory process. The normal process for rezoning land would:

- require UTAS to make their case
- involve the HCC and the Tasmanian Planning Commission
- include a public exhibition
- include an opportunity for community and stakeholder input,
- include expert opinion, hearings and a decision by the TPC.

This process is thorough but the new government legislation completely removes this process of making UTAS accountable.

John Biggs AM

From: John Biggs
Sent: Saturday, 5 April 2025 1:49 PM
To: State Planning Office Your Say
Cc:

Subject: No to DAPs

The Rockliff Government is quite wrong in its undemocratic proposal to establish Development Assistance Panels (DAPs). Felix Ellis oddly says that they would take the politics out of planning, when they do exactly the opposite. They bring politics into planning precisely because the panels are appointed by government and by the planning minister in particular, and the decisions the DAP makes may not be appealed

Tasmania's approval process already is the fastest in Australia and only one percent are appealed. If DAPs are introduced, the only avenue for appeal will be the Supreme Court and the grounds will have to be on legal rather than on planning concerns. The cost would be prohibitive.

No surprise then that the Bill was defeated in the Legislative Council in November last year. The government has made minor changes to the Bill it will reintroduce but in essence it remains just as objectionable and undemocratic, because developers will determine what's built and where, regardless of the community's opinion. DAPs

John Biggs AM

From: Matthew Willson
Sent: Saturday, 5 April 2025 12:43 PM
To: State Planning Office Your Say
Subject: Protect our rights & our voice: please scrap the DAP

Dear Tasmania State Planning and elected officials,

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

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

members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.

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

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

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

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

2025 legislation not significantly changed

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

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

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

Yours sincerely,

Matt Willson

From: Carlos Whiley
Sent: Saturday, 5 April 2025 11:10 AM
To: State Planning Office Your Say
Cc:

Subject: Cable Car

Re: Mount Wellington Cable Car. Again.

I feel like I shouldn't have to be writing to you about this again. In November 2022 TASCAT affirmed the decision of the Hobart City Council to reject the proposal for a cable car across the Organ Pipes and a large tourist centre/restaurant near the Pinnacle. In my view, that should have been the end of it but now we have the 2025 revised DAP legislation being proposed which is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. This amounts to another blatant political move intended to undermine and negate that legitimate decision arrived at by the Tasmanian parliament. So again, I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons: In our overdeveloped world I find great comfort in having a such a splendid example of natural wonder, so close to a capital city, that has not been COMMODIFIED. By commodified, I mean something that was previously free and available to all being turned into something that can be sold in order to turn a profit for the enabler of the commodification. Humans seem to have an insatiable appetite for novelty and the commercial aspects of our culture provide an endless supply of gee-gaws, gismos and gadgets to supply the market that appetite provides. But I think we also have far deeper fundamental, even primal needs, about our connectedness to our natural world and given the relentless pressures that are eroding our natural world, thus making such connectedness more fraught, I find it inconceivable that we would allow the natural values of Mount Wellington to be

commodified in the interests of novelty.

So.....I ask this of the Tasmanian State Planning Office: Please keep planning local and democratic. Please don't take planning away from Local Government and please, please, please don't give the Minister the power to change the Local Planning Scheme.

With best regards,

Carlos Whiley,

From: David Lyons
Sent: Saturday, 5 April 2025 10:50 AM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP

Dear State Planning Office and Members of the House of Assembly and Legislative Council

I strongly object to the proposed Development Assessment Panel (DAP) Bill which, in almost the same form, was earlier rejected by the Parliament. It would give the Planning Minister the power to remove assessment and approval of developments from the normal local council process and have it done by Development Assessment Panels (DAPs). This fast-track process will remove elected councillors from having a say on the major developments with potentially high impacts and negative effects on communities. There will be no right for the individuals to appeal the final decision to the planning tribunal. The criteria being considered would enable virtually any development irrespective of even a unanimous push back by the community.

I oppose the DAPs for the following reasons:

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities.** Handpicked state appointed planning panels,

conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.

- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.
- **Research demonstrates DAPs are pro-development and pro-government**, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.

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

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

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

2025 legislation not significantly changed

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- Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.
- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.
- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.
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Say yes to a healthy democracy

- I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep

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

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

Yours sincerely,

David Lyons

From: Grace Bloom
Sent: Saturday, 5 April 2025 8:38 AM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP

The [2025 revised DAPs legislation](#) is the opposite of what Tasmania is. Tasmania is such a beautiful place for so many reasons, a huge part being the community aspect and their care for the environment.

It is absolutely vital to allow the locals and the local government to be able to contribute and appeal to propose planning and development.

Research shows that DAP's rarely reflect the interest of the local community and actually take longer to make decisions than local councils. Furthermore, removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.

The community has spoken loud and clear. we do not want this. We have said no once and we say no again. The 2025 DAP Bill is virtually the same as the 2024 Dap Bill and contains all the same flaws previously highlighted. the changes made do not have any significant impact. Please listen to your community.

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

- Removal of the option for the minister to transfer a development partway through a council assessment is not significant because a proponent can remove their development from council assessment before requesting the minister have it assessed by a DAP.
- The dollar value thresholds have been increased to \$10 million and above in metro areas and \$5 million and above in non-metro areas which is claimed will restrict the number of DAP applications. Projects under these values are still eligible under the other broad and undefined criteria.
- The Tasmanian Planning Commission will be able to issue guidelines to assist with applying the eligibility criteria, but this makes no difference as the Commission is not required to make the guidelines and the Minister only needs to 'consider' them.
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Bypassing this

Say yes to a healthy democracy.

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

Yours sincerely

Grace Bloom

From: Sandra K
Sent: Friday, 4 April 2025 4:29 PM
To: State Planning Office Your Say
Cc:

Subject: Re: #ScrapTheDAP – say no to planning panels



Good afternoon

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

- DAPs will create an alternate planning approval pathway allowing property developers to bypass local councils and communities. Local concerns will be ignored in favour of developers.
- The Tasmanian Planning Commission is not independent. DAP members are hand-picked, without detailed selection criteria and objective processes. DAPs do not hold public hearings and lack capacity to manage conflicts of interest. In addition, DAPs do not have to provide written reasons for their decisions, making it difficult to seek judicial review.
- DAPs are pro-development and rarely deeply engage with local communities who may be opposed to their proposals.

- DAPs make it easier to approve large scale contentious developments like the Kunanyi/Mount Wellington cable car.
- DAPs remove merit-based planning appeal rights via the planning tribunal on all the issues local communities care about such as impacts on biodiversity; building appearance; and impacts to streetscapes and adjoining properties. TASCAT review of government decisions is an essential part of the rule of law and a democratic system of government based on checks and balances.
- Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.
- Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.
- Removing merits-based planning appeals has the potential to reduce good planning outcomes, favour developers and undermine democracy. [Research](#) on mainland DAPs demonstrates removing merits-based planning appeals has the potential to reduce good environmental and social planning outcomes.
- Increased ministerial power over the planning system increases the politicisation of planning decisions. The Planning Minister will decide if a development application meets the DAP criteria. In addition, the Minister will be able to force the initiation of planning scheme changes when a local council has rejected such an application, threatening transparency and strategic planning.
- Flawed planning panel criteria. Changing an approval process where the criteria is on the basis of '*perceived conflict of interest*', '*a real or perceived bias*', and '*the application relates to a development that may be considered significant*' is fraught. The Planning Minister can use this subjective criteria to intervene on any development in favour of developers ignoring the wishes of local communities.
- Unjustified. Only about 1% of council planning decisions go to appeal and Tasmania's planning system is already the fastest in Australia when it comes to determining development applications. The Government falsely blames the planning system for stopping housing developments as a means to introduce DAPs, favouring developers.
- Increases complexity in an already complex planning system.

- The 2025 DAP legislation has not significantly changed from that which was rejected by Parliament in November 2024.

I urge you to maintain transparency, independence, accountability and public participation in decision-making within the planning system: keep decision-making local with opportunities for appeal.

Abandon DAPs.

In addition, I urge 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.

Sincerely

Sandra Kellett

From: Paola Petrelli
Sent: Friday, 4 April 2025 4:01 PM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP

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

- The DAPs will stop councils from having a say on projects affecting local communities.
- DAPs are neither independent or a transparent process.
- Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.
- DAPs give too much power to politicians on planning decisions increasing the risk of corruption.
- Eligibility criteria are too broad and vague, effectively allowing a minister to declare nearly any project to be evaluated via a DAP.
- This bill is trying to fix an inexistent issue, only a very small number of projects go to appeal and most of these are solved via mediation and relatively quickly. This will make the planning system more complex and create a disparity in the way projects are assessed with some able to bypass the rules anyone else has to follow.

Submission to Oppose the Draft LUPPA (Development Assessment Panels) Bill 2025
Cr Anne-Marie Loader, Meander Valley Council
06/04/2025

The 2025 revised Development Assessment Panels (DAPs) legislation shows minimal changes from the 2024 version; I continue to oppose this dangerous legislation. I hold to the objection I submitted in November 2024 and include it at the body of this document.

For this submission against the second draft, I'm using part of a talk that I delivered at the Deloraine Planning Matters Alliance Public Meeting where 65 community members attended and all indicated their strong opposition to this DAP legislation (<https://planningmatterstas.org.au/deloraine-scrapthedap-public-meeting/>).

Deloraine Planning Matters Alliance Public Meeting Talk:

It is important to note that all 29 councils have expressed strong opposition to the first draft of the DAP Bill.

The Local Government Association of Tasmania's website states:

"Tasmanian councils are on average determining development applications well within the statutory timeframes of 28 days for permitted developments and 42 days for discretionary developments."

"Tasmanian development assessment timeframes are one of the best in the country, with Victoria being 70 days, NSW 84 days, WA 60 or 90 days, SA 8 weeks or 12 for subdivision and QLD 40 business days."

(<https://www.lgat.tas.gov.au/lgat-advocacy/planning>)

Therefore, what exactly is the DAP legislation trying to fix? What problem is it addressing, other than bypassing our democratically elected community representatives and giving decision-making power to state government-appointed officials? Where is the objectivity and impartiality in that? How can this possibly be seen as taking politics out of planning when it puts politics front and centre, with developers at the top of the list and communities at the bottom?

The reality is that DAPs would strip councils of their ability to assess certain development applications and eliminate the rights of the community to appeal. Essentially, this silences the voices of voters, ratepayers, and the community as a whole.

Planning is already difficult. It's complex and time-consuming. Rather than streamlining the process for developers and pushing the DAP Bill forward, the State Government should focus on creating a planning scheme that truly meets the needs of communities. The Land Use Planning and Approvals Act (LUPAA) became law in 1993, 32 years ago. Instead of rushing through the DAP Bill, the first step in getting planning right in Tasmania should be a comprehensive review of LUPAA, with communities placed at the forefront. The government must work alongside communities to create planning laws that promote a high quality of life, address homelessness, and foster well-being, while providing essential services and green spaces. This must be done in balance to support our needs today, while planning for the future by developing infrastructure that can accommodate appropriate growth. One size does not fit all in Tasmania — planning should be sensitive to local needs and expectations, and above all, decisions kept to local

councils where the community can easily access their local representatives and talk through their concerns and actively participate in the process.

Being sustainable and caring for our environment is embedded throughout Meander Valley's 10-year Community Strategic Plan (<https://www.meander.tas.gov.au/meander-valley-community-strategic-plan-2024-2034>). Our vision is to create a region where community, environment, and industry all thrive together. We're focused on nurturing our landscape, honouring our heritage, and supporting our people. We're also working to promote innovation, and offer a lifestyle that's rich and welcoming for everyone. Does this DAP Bill support our vision and would a panel of state government appointed members even know about our vision? The answer is no.

In conclusion, the DAP legislation is a step in the wrong direction, undermining local representation and silencing community voices who already feel unheard. Rather than rushing through this bill, the State Government should work with communities to create a planning framework that genuinely meets local needs and supports sustainable growth.

Submission to Oppose the Draft LUPPA (Development Assessment Panels) Bill 2024 30 October 2023

Re: Development Assessment Panel Framework (DAP) Submission

I am a Meander Valley Councillor, this submission, however, is my own, and not the Council's.

Prior to and now as a Councillor, the single biggest issue I hear from community is their inability to have a real say in planning. If a development is deemed acceptable by planners, then woe betide a councillor who votes against that decision. We must stick our fingers in our ears and sing 'la la la la' very loudly and drown out the concerns of community.

Let's stop for a minute. Who lives with the outcome of planning? Developers? Sometimes. Builders and other tradespeople? Sometimes. Councillors? Yes. Community? Yes.

Who then is best placed to comment on planning applications? The community who will have to live and be affected by that which those planning applications allow to become reality. And who best to make the decisions about those planning applications? Local councillors who will also have to live with the decisions in a real and tangible way.

"The DAP will take the politics out of planning?" Is this believable? A State Government Minister will be firmly involved in planning at the very grassroots level. If that's not politics, I don't know what is. And who is going to be on these panels? Who is going to appoint the panel members? The DAP doesn't actually say. It is rather devoid of important detail like how transparent the selection process will or won't be.

The fact that a developer will be able to choose who assesses their application is truly terrifying. What will this look like in the future? Developers coming in, seeing opportunities, bypassing community, building the 'thing', then moving on? It's almost like that now! Tasmania needs people who care about our communities, with lived experience of our communities to make decision about developments that could be around for generations. The community needs a right of reply, or as it is called 'a right to appeal'. How will this work under the DAP? It certainly looks like the right to appeal will be removed and the voice of community will be silenced at worst or severely minimised at best.

Honestly, how much power does the Minister for Planning need to have? This position should be working to ensure balance and appropriate development, not development at any cost that makes it easy for developers but difficult for community. A Minister bypassing community in favour of developers isn't democracy and it certainly places politics fair and square in the middle of planning decisions.

This Framework is truly terrifying in its lack of detail but with enough detail to render councils and communities voiceless and developers totally in charge.

Biggest of all, our council staff will still be preparing all the planning documentation, but the decision making will be removed from the council with little opportunity for community to have input. Councils are accountable to their residents and ratepayers; how will the DAP members be accountable? The position paper doesn't say.

The very first sentence of the Position Paper rings alarm: 'take over'. Communities do not want the State Government to 'take over' the role of councils as planning authorities, the community wants to be listened to and be taken seriously regarding planning applications that they will have to live with. They do not want some unknown people on a DAP making decisions about the place they call home.

That State has its 'Major Projects Bill', surely that is enough power. Please leave planning alone and in the hands of Local Government.

Final Comments:

Removing merit-based planning appeal rights through the planning tribunal impacts many community concerns like biodiversity, building impacts, streetscapes, privacy, traffic, noise, and more. The Tasmanian Civil and Administrative Tribunal (TASCAT) plays a crucial role in ensuring government decisions are balanced and fair.

Without these appeals, we lose the chance for mediation on development applications, leaving only costly and narrowly focused Supreme Court appeals. This change could lead to more corruption, poorer planning outcomes, favour developers, and weaken our democracy. The NSW Independent Commission Against Corruption suggested expanding merit-based appeals to prevent corruption, as planning panels often favour developers and reduce democratic accountability. Research shows that removing these appeals can harm both environmental and social planning outcomes

In conclusion, there is so little change to this second draft to make any of the changes appropriate for Tasmanian communities. DAPs are not community friendly, they are developer friendly. Communities need and should have input into the developments that happen around them. All Tasmanians should be able to have input into planning applications in our heritage and wild areas – for these are our backyards. These are not just locations or opportunities; they are the essence of what makes us uniquely Tasmanian, shaping our identity and inspiring our future.

Scrap the Dap.

Cr Anne-Marie Loader
Meander Valley Council

From: brian driscoll >
Sent: Sunday, 6 April 2025 9:51 AM
To: State Planning Office Your Say
Cc:

Subject: Submission - Draft Development Assessment Panel - Draft Bill 2025

To whom it may Concern,

This concerns me greatly that we the people. The very people who elect members of parliament do not have a say on what will or will not be planned for our own local areas in accordance with such environment, current facilities and history. I perceive this agenda item is only to override the voice of Tasmanian people at the will of political views to approve ad hoc favoured developments that have no real value adding for the people of Tasmania. There have been many and are currently many questions raised that need answering before any such power be taken and given to individuals to allow developments in such a pristine state that is work renown for its beauty and wilderness all of which governments and developers want to ruin and develop into some kind of Disneyland eyesore for the powerful minority.

From: Heidi Auman
Sent: Sunday, 6 April 2025 8:12 AM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP!

The DAP stunk before and it still stinks!

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

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities.** Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.
- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the

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

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

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

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

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

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

2025 legislation not significantly changed

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

Say yes to a healthy democracy

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

Yours sincerely,

Heidi J. Auman, PhD

From: Vladi Eileen Rosolova
Sent: Sunday, 6 April 2025 4:42 PM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP

[REDACTED]
Dear Sir / Madame,

As a keen lover of Tasmania and its natural treasures, I would like to respond to the 2025 revised DAP legislation.

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

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

- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.
- **Research demonstrates DAPs are pro-development and pro-government**, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
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- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will

be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.

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

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

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

- **Poor justification – there is no problem to fix.** Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
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2025 legislation not significantly changed

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Say yes to a healthy democracy

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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,

Vladi Rosolova

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Vladimira ROSOLOVA

From: brian
Sent: Monday, 7 April 2025 12:28 PM
To: State Planning Office Your Say
Subject: Submission against proposed Development Assessment Panels (DAPs)

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

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

I request that this Legislation be rejected.

My name: Brian Corr
My email:

**My additional
comments::**

Truly dangerous undemocratic legislation, designed to suit developers.
Hobart must be protected, so ban this legislation.

From: andrew
Sent: Monday, 7 April 2025 12:21 PM
To: State Planning Office Your Say
Subject: Submission against proposed Development Assessment Panels (DAPs)

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- * The proposed DAPs have the potential to increase corruption, reduce good planning outcomes, favour developers, and undermine democracy. The NSW Independent Commission Against Corruption has recommended the expansion of merit-based planning appeals as a deterrent to corruption.

I request that this Legislation be rejected.

My name: Andrew
My email:

From: David Halse Rogers
Sent: Monday, 7 April 2025 12:06 AM
To: State Planning Office Your Say
Cc:

Subject: Draft LUPA Amendment (Development Assessment Panels) Bill 2025

Dear Members,

Please find attached my submission in relation to the 're-advertised' DAPs Bill 2025, which, in essence, is the same as the 2024 Bill, which was soundly defeated in the Legislative Assembly. I strenuously object to this undemocratic, odious piece of legislation.

Dear Legislators,

I wish to add my opposition to the Government's attempt to impose *Development Application Panels* on the Tasmanian Planning System. DAPs, when introduced in other jurisdictions, have been shown to be a poor planning tool. Many have now been reversed.

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

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

- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions, such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.
- **Poor justification** – there is no problem to fix. Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.
- **Increases complexity in an already complex planning system.** Why would we further increase an already complex planning system which is already making decisions quicker than any other jurisdiction in Australia?
- The changes made to the DAPs legislation that was refused by the Parliament in November 2024 are not significant and **all the key flaws remain**. The changes made do not have any significant practical impact criteria.
-
- There has been an amendment to allow the DAPs to undertake mediation, but the Tasmanian Planning Commission is inexperienced in mediation and no clear process or rights have been established for objectors, unlike the Tasmanian Civil and Administrative Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.
- I call on you to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Keep decision making local, rather than bypassing it, with opportunities for appeal. Abandon DAPs and instead invest in expertise to improve the local government system and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keeping the cost of development applications down.
-
- Finally, and most importantly, I call on you to prohibit property developers from making donations to political parties. There is a need to enhance transparency and efficiency in the administration of the *Right to Information Act 2009*, and create a strong anti-corruption watchdog.

Yours faithfully,
David Halse Rogers.

From: Lynne Maher
Sent: Monday, 7 April 2025 2:02 PM
To: State Planning Office Your Say
Cc:

Subject: The Development Assessment Panel Bill should be scrapped



Dear Sir/Madam

The state government's current plan to reintroduce a Development Assessment Panel Bill is a travesty of democracy.

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

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

- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.
- **Research demonstrates DAPs are pro-development and pro-government**, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on *'checks and balances'*.
- **Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.**
- **Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.**
- **Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a *'perceived conflict of interest'*, *'a real or perceived bias'*, *'the application relates to a development that may be considered significant'*. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

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

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

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

2025 legislation not significantly changed

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

Say yes to a healthy democracy

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

Yours sincerely,

Lynne Maher
Hobart

From:
Sent: Monday, 7 April 2025 6:00 PM
To: State Planning Office Your Say
Subject: Submission against proposed Development Assessment Panels (DAPs)

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

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

I request that this Legislation be rejected.

My name: Richard Stoklosa
My email:

**My additional
comments::**

I also oppose the DAPs Legislation because too much power without 'checks and balances' shows contempt for the community. I have been watching Eric Abetz carry on about how our elected members of Parliament represent 'the people', when the government has no mandate at all to introduce DAPs--other than to avoid scrutiny of projects and developments that are unacceptable to the community but convenient for the government's agenda. Such legislation INVITES corruption and poor decision making, and must be withdrawn or defeated. Perhaps the government could reflect on the projects and developments that are put forward by the community that do not enjoy such a privileged and opaque DAP process that the government is trying to foist on us.

From: Catherine Nicholson
Sent: Monday, 7 April 2025 9:57 PM
To: State Planning Office Your Say
Subject: Submission - Draft Development Assessment Panel - Draft Bill 2025

Please find below my submission in relation to the draft Development Assessment Panels Bill, 2025:

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

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

As a retired town planner who was an expert member of the RMPAT (now replaced with TASCAT) and ex Planning Commissioner I am deeply disturbed at this planned erosion of a fundamental element of our planning system. Merits Based Planning Appeals are the key opportunity that is open to the community to have a direct input into the planning system and to have a say on specific development applications. It should not be diminished. In fact one of the key objectives of our Resource Management and Planning Legislation is to encourage public participation in the planning system, so this move would appear to be in conflict with this key objective.

- Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal. This is a very well regarded and effective part of the merit based appeals system.

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

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

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities.** Local concerns will be ignored in favour of developers who may not be from Tasmania. DAPs panels will most likely have well experienced panel members but they will not have the knowledge and understanding of the community, where the development is proposed, as the local councillors do.
- **Research demonstrates DAPs are pro-development and pro-government,** they rarely deeply engage with local communities, and they take longer than local councils to make decisions.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **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?
- **Finally, there is just no problem that needs fixing.** Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of those 1% of applications that are appealed are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments.

Notes regarding the 2025 legislation suggested changes:

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

Say yes to a healthy democracy

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

Yours sincerely,

Catherine Nicholson

From: Catherine Nicholson
Sent: Monday, 7 April 2025 9:57 PM
To: State Planning Office Your Say
Subject: Submission - Draft Development Assessment Panel - Draft Bill 2025

Please find below my submission in relation to the draft Development Assessment Panels Bill, 2025:

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

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

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- Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal. This is a very well regarded and effective part of the merit based appeals system.

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

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

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities.** Local concerns will be ignored in favour of developers who may not be from Tasmania. DAPs panels will most likely have well experienced panel members but they will not have the knowledge and understanding of the community, where the development is proposed, as the local councillors do.
- **Research demonstrates DAPs are pro-development and pro-government,** they rarely deeply engage with local communities, and they take longer than local councils to make decisions.
- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
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- **Finally, there is just no problem that needs fixing.** Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in Australia. In some years as many as 80% of those 1% of applications that are appealed are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments.

Notes regarding the 2025 legislation suggested changes:

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

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

Yours sincerely,

Catherine Nicholson

From:
Sent: Tuesday, 8 April 2025 7:44 AM
To: State Planning Office Your Say
Subject: Submission against proposed Development Assessment Panels (DAPs)

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

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

I request that this Legislation be rejected.

My name: Laurel Trevena
My email:

From: claire aitken
Sent: Tuesday, 8 April 2025 2:23 PM
To: State Planning Office Your Say
Subject: I oppose the Development Assessment Panels Bill

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

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

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

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

Say yes to a healthy democracy

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

Yours sincerely,

Dr Claire Unwin

From: John Paterson
Sent: Tuesday, 8 April 2025 1:15 PM
To: State Planning Office Your Say
Cc:
Protect our democratic rights – #SCRAPTHEDAP

Subject:

You don't often get email from jpaterson@business-vision.com.au. [Learn why this is important](#)

At a time when the idiot Trump is threatening democracy in USA, it is horrifying to see the Tasmanian Government reconsidering the DAPs legislation when the [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

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

public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.

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

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

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

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

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

2025 legislation not significantly changed

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

Yours sincerely,
John

JOHN PATERSON

From: christine tan
Sent: Tuesday, 8 April 2025 1:14 PM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP

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

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

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

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

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

Yours sincerely,

Christine Tan

From: Christina Schallenberg
Sent: Tuesday, 8 April 2025 1:01 PM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP

Dear planners, councillors et al-

what makes Tasmania so special is not just its natural beauty, but also the fact that it has - in large parts - been left wild. This is worth protecting, and even more so with the threat from a warming climate. And to protect our wild spaces, and even the ones that have been altered, we need to protect the voice of the people and our democracy. So let's scrap the DAP.

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

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

elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.

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- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
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- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a '*perceived conflict of interest*', '*a real or perceived bias*', '*the application relates to a development that may be considered significant*'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers.

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- **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?

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Tribunal (TASCAT). The amendment does not allow the DAP approval to be decided by mediation just minor disputes in the process.

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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.

Yours sincerely,

Christina Schallenberg

Christina Schallenberg

From: |
Sent: Tuesday, 8 April 2025 9:26 AM
To: State Planning Office Your Say
Subject: Submission against proposed Development Assessment Panels (DAPs)

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

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

I request that this Legislation be rejected.

My name: Lynden Howells
My email:

**My additional
comments::**

I cannot understand why anyone in power would want to pass such undemocratic legislation – we've got Trump and Putin overseas, that's already way too much. Aren't politicians for the people, rather than developers? People, en masse, are not money hungry to the extent of spoiling the sight of the beautiful city they live in, but some politicians very much appear to be – money, money, money.

From: Katrina Ward
Sent: Tuesday, 8 April 2025 11:25 PM
To: State Planning Office Your Say
Cc:

Subject: Submission - Draft Development Assessment Panel - Draft Bill 2025Protect our rights & our voice - #SCRAPTHEDAP

To the Members of the House of Assembly and Legislative Council,
I wish to oppose the creation of DAPs. My apologies this is a copy or recommended reasons, however I have no time to rewrite it. I still whole-heartedly agree with the reasons put forward. I have also spent the time to read it and be concerned by it, and to send it to you. So , PLEASE DO NOT DISREGARD just because it is generic.

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

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

- **The Tasmanian Planning Commission is not independent** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.
- **Research demonstrates DAPs are pro-development and pro-government**, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
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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.

Yours sincerely,

From: David Holman
Sent: Tuesday, 8 April 2025 11:18 PM
To: State Planning Office Your Say
Subject: Protect our rights & our voice – #SCRAPTHEDAP

Hello.

I am writing to strongly oppose the proposed DAP legislation in its revised form.

If passed, I believe that this legislation will reduce the strength of our planning process by removing the normal planning authorities from the process.

Such a move enables vested interests to push through legislation that is not broadly wanted. I believe this, if passed, would weaken our protection of wild places in the midst of a crisis of extinction and unprecedented destruction of nature.

I encourage all politicians to vote against it for the following reasons.

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

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

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

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

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

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

2025 legislation not significantly changed

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

Say yes to a healthy democracy

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

Yours sincerely,

Dave Holman

From: William Gregory
Sent: Tuesday, 8 April 2025 9:45 PM
To: State Planning Office Your Say
Cc:

Subject: DAP - Are we really still here? Even as a poser democracy this is woeful.



Go all out, convicts to build the contentious structures as well.
Live public lashings at prime time.

Our history is now, apparently, go forth and do Imperial England proud.

From:
Sent: Tuesday, 8 April 2025 8:22 PM
To: State Planning Office Your Say
Cc:

Subject: Please don't vote for the proposed DAPs legislative changes.

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

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

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

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There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

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

Yours sincerely,

Robert Jackson

From: Beverley Taylor
Sent: Tuesday, 8 April 2025 7:52 PM
To: State Planning Office Your Say
Cc:

Subject: DAPs

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

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

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

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

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

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

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

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

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

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

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Say yes to a healthy democracy

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

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

On a personal note I am appalled that this is even being considered. It is time we stopped developing on places that should remain as untouched as possible and not just to give some jobs for the boys. An old saying but it still exists. I am tired of people who oppose this type of thing being called be anti development and anti everything...we are just anti crap development and anti destruction of the state. If we build everything that is available in other states, people will have no need to come here. We are killing everything that made Tasmania unique. We can't even say it

is clean and green...it is shocking how so many people think that destruction as in old growth and native forest logging is warranted because there are jobs in it. Well if we keep going at the rate we are going now...there will be nothing left except a wasteland of tree stumps and no wild life to speak of. People need to be consulted and listened to..people are saying NO for a reason....LISTEN to them. We do not want to be living under a dictatorship where things that are opposed are done anyway.

Yours sincerely,

Beverley Taylor,

From: Stuart Baird
Sent: Tuesday, 8 April 2025 7:52 PM
To: State Planning Office Your Say
Subject: Submission - Draft Development Assessment Panel - Draft Bill 2025, Scrap this DAP

Dear state planning,

This DAP legislation appears to be once again a blatant attempt to "get developments through at any cost.

I suppose given what we hear about the stadium process also being axed by our so called government, I should not be surprised.

Bad development should be stopped. That to me seems fundamental, Tasmanian people should have a right to express concerns and be taken into account. National parks, world heritage areas and public land needs to be protected from inappropriate development.

Dare I say, Donald Trump is a developer, and look where that is getting us all.

Please record my heart felt objection to this atrocious legislation.

Stuart Baird

From:

Sent:

To:

Tuesday, 8 April 2025 6:54 PM

State Planning Office Your Say; planningmatterstas@gmail.com;

Subject:

Protect our rights & our voice – #SCRAPTHEDAP

The 2025 revised DAPs legislation has not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. Here we go again..

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

- **The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities.** Handpicked state appointed planning panels, conducted by the Tasmanian Planning Commission, will decide on development applications not our elected local councillors. Local concerns will be ignored in favour of developers who may not be from Tasmania.
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review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.

- **Research demonstrates DAPs are pro-development and pro-government**, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- **DAPs will make it easier to approve large scale contentious developments** like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus re-development.
- **Removes merit-based planning appeal rights** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on '*checks and balances*'.
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- **Poor justification – there is no problem to fix.** Only about 1% of the approximately 12,000 council planning decisions go to appeal and Tasmania's planning system is the fastest in

Australia. In some years as many as 80% of appeals are resolved via mediation. The Government wants to falsely blame the planning system for stopping housing developments to cover its lack of performance in addressing the affordable housing shortage.

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Say yes to a healthy democracy

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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.

Yours sincerely,

Georgina Haywood

From: CLIVE SHERRIFF
Sent: Tuesday, 8 April 2025 6:35 PM
To: State Planning Office Your Say
Subject: Support ~ Protect our rights & our voice – #SCRAPTHEDAP

Personalising your message creates a powerful impact with Parliamentarians.

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- A determination by Homes Tasmania that an application includes social or affordable housing. There is no requirement for a proportion of the development to be for social or affordable housing. For example, it could be one house out of 200 that is affordable.

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

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

2025 legislation not significantly changed

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

Say yes to a healthy democracy

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

Yours sincerely,

Clive Sherriff

From: D A
Sent: Tuesday, 8 April 2025 5:17 PM
To: State Planning Office Your Say; planningmatterstas@gmail.com;

Subject: SCRAP THE DAP. Submission - Draft Development Assessment Panel - Draft Bill 2025

This is not acceptable. Communities need choice and must be included in what happens to their lands.

The draft legislation empowers the Planning Minister to remove assessment and approval of developments from the normal local council process and have it done by Development Assessment Panels (DAPs). **This fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities.**

D Adair

Dear Member of Parliament

I am writing to you to ask you to vote down the 2025 revised DAPs (Development Assessment Panels) legislation.

As a very first point I note that there is not a problem to fix – we do not need DAPs. Tasmania's current planning system is the fastest in Australia with only 1% of decisions, made by councils, going to appeal.

The revised DAPs proposal would undermine local communities. Locally elected councillors would be bypassed in favour of developers (who rarely live in the area). The projects would most likely be ones that are contentious to the local community.

Increased ministerial power over the planning process increases the politicisation of planning decisions. This is not helpful – planning should be in the hands of an independent planning group who are there because of their skills – not because of their ability to influence politicians.

Transparency disappears under DAPs. DAPs are not open to the public and do not have to provide written explanations for the decisions they make. As a member of Tasmania's community I want to understand why people make decisions about developments that impact me/us. I also want the right to challenge decisions that I see as unfair, damaging or involve a conflict of interest. DAPs would remove that right.

Removing merit based planning appeal enables greater corruption. Surely that is something our members of parliament would be anxious to avoid. Planning panels favour developers over local communities. Tasmania has unique charm that must not be lost to mainland and overseas developer's money making ventures.

We need transparency and accountability in the planning of developments in Tasmania as well as public participation. I urge you to reject the revised DAPs legislation.

Sincerely,
Sue Todd

8th April 2025

From: Deborah Hunter
Sent: Tuesday, 8 April 2025 2:46 PM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP

Please oppose this dreadful DAP.

I am convinced that this second time around, the “DAP” is little different than the 2024 version. Therefore I remain firmly opposed to what I regard as an abysmal grab for power over resources and development expedience by those who support certain vested interests.

We need transparently independent scrutiny of all industrial proposals in Tasmania.

Our municipal bodies must not be disregarded as they are the closest tier of government to the people and their interests.

The intentions of bypassing all reasonable and proper processes are clear. This can only disenfranchise and impoverish our people.

Clear benefit to Tasmanians and Tasmania needs to be demonstrable in any resource development or industrial proposal.

I am very alarmed that this DAP legislation would vest previously unparalleled power over developments in a minister, who after all is only a temporarily ensconced politician, not an impartial expert.

Sincerely,
Deborah Hunter

From: Sue Drake
Sent: Wednesday, 9 April 2025 10:51 AM
To: State Planning Office Your Say
Cc: planningmatterstas@gmail.com
Subject: Please oppose the Draft Development Assessment Panel - Draft Bill 2025

The proposal to establish a Development Assessment Panel is poorly justified as Tasmania's current system is already working well. Local Councils with locally elected councillors make planning decisions in the best interests of the local community.

It appears that the State Government's aim with this bill is to bypass local communities and fast-track large controversial projects, giving the public very limited (and expensive) appeal rights. This isn't what a democratic society deserves.

The draft Bill gives the Minister extraordinary powers to appoint and direct. Of course the Minister will be subject to lobbying and could easily be seen as corrupt. What an awful job!

Please oppose this draft Bill

Yours sincerely
Susan Drake

From: J R Murrell
Sent: Wednesday, 9 April 2025 9:57 AM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP - Janina Murrell

Subject: A Concerned Citizen's Plea for Transparent and Ethical Governance in Tasmania

Dear All

I am writing to you as a deeply concerned citizen of Tasmania. It is disheartening to witness the erosion of democracy through proposals that resemble more of a dictatorship than a fair, transparent system of governance. I urge you to reconsider the direction that seems to prioritize the interests of a few, often at the expense of the greater public.

In particular, the lack of thoughtful consideration for our natural environment and its long-term protection is alarming. Tasmania's assets—both environmental and cultural—are precious, and we must not allow short-term schemes to jeopardize them. It is deeply troubling to think that such plans could serve only to line the pockets of a few while leaving the broader population to bear the cost.

This kind of leadership, which disregards the input and rights of everyday people, is not only unethical but immoral. We cannot afford to leave a legacy of exploitation and neglect for future generations.

Please do not take away the voice of the people in matters that concern them. Local councils play a crucial role in ensuring that checks and balances are maintained and that decisions are made in the best interest of all citizens. Their contribution is invaluable, and any attempt to undermine this democratic process should be reconsidered.

We all deserve a future where our environment is protected, our voices are heard, and ethical governance prevails.

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

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

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

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

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

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

2025 legislation not significantly changed

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

Say yes to a healthy democracy

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

Thank you for your time and attention.

Janina Murrell

From: Emma Gunn
Sent: Wednesday, 9 April 2025 9:25 AM
To: State Planning Office Your Say
Cc:

Subject: Submission - Draft Development Assessment Panel - Draft Bill 2025

The [2025 revised DAPs legislation](#) is not significantly changed from the 2024 version that was refused by the parliament and retains all the key flaws. The only reason the government wants to push through DAPs is because it is a way to help their developer supporters avoid any scrutiny of unpopular development proposals. I oppose the creation of Development Assessment Panels (DAPs) and increasing ministerial power over the planning system, for the following reasons:

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

public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision.

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

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

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

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

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

2025 legislation not significantly changed

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

Say yes to a healthy democracy

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

Yours sincerely,

Emma Gunn

From: Kathryn Evans
Sent: Wednesday, 9 April 2025 8:55 AM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice - #SCRAPTHEDAP

Dear member,

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

The DAPs fast-track process will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. Local concerns will be ignored in favour of developers who may not be from Tasmania.

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

DAPs will remove merit-based planning appeal rights via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts

to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more.

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

Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.

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

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

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.

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,

Dr Kathryn Evans

From: Sarah Lloyd
Sent: Wednesday, 9 April 2025 2:30 PM
To: State Planning Office Your Say
Cc:

Subject: Protect our rights & our voice – #SCRAPTHEDAP

It is extremely disappointing that the 2025 revised DAP legislation that was rejected in 2024 is again being introduced into parliament, but without any substantial changes. I strongly oppose increasing ministerial powers over the planning scheme, and taking decision making away from elected members of local councils in issues that affect local communities.

Had the DAPS been in place when the State Liberal Government proposed to build a high security prison at Brushy Rivulet Reserve, it might have gone ahead on a parcel of land that was entirely unsuitable. When the proposal was made, the land had long been known to have species of high conservation significance, and subsequent surveys have demonstrated that it has even more rare and threatened species than were known about at the time.

The DAPS are intended to bypass local councils and local planning schemes and will favour large property developers who are not necessarily from the local community. If passed, people will not have a say in what affects their local communities. DAPS favour large developers and governments and can lead to disharmony in local communities.

One argument in favour of DAPS is that it will make it easier for much needed large housing developments to be approved. However, these developments are often opposed by local communities because they are not compatible with local townscapes or the historical nature of some of Tasmania's small country towns.

Furthermore, DAPs are likely to make it easier to approve large scale contentious developments like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughty Point and the proposed UTAS Sandy Bay campus redevelopment, all of which have strong community opposition.

The Tasmanian Civil and Administrative Tribunal's (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on 'checks and balances'.

In conclusion, I call on all members of parliament to ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for a healthy democracy. Proposed DAPs should be abandoned; instead there should be investment in expertise to improve the local government systems and existing planning processes by providing more resources to councils and enhancing community participation and planning outcomes. This will also help protect local jobs and keep the cost of development applications down.

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

Yours sincerely

Sarah Lloyd OAM and Ronald Nagorcka

**Office of the
Fire and Emergency Services Commissioner**



File No: A25/97122

State Planning Office
Department of Premier and Cabinet

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

9 April 2025

Dear Sir/Madam,

RE: DRAFT LUPA AMENDMENT (DEVELOPMENT ASSESSMENT PANELS) BILL 2025

I write on behalf of Tasmania Fire Service (TFS) in response to the abovementioned matter.

A potential omission has been identified that may create inconsistencies between the assessment process followed by planning authorities and DAPs in granting a permit for a development.

S.51(2)(d) of the current *Land Use Planning and Approvals Act* (LUPAA) requires:

51. Permits

(2) In determining an application for a permit, a planning authority –

(a) ...

(b) ...

(c) ...

(d) must accept –

(i) any relevant bushfire hazard management plan, or other prescribed management plan relating to environmental hazards or natural hazards, that has been certified as acceptable by an accredited person or a State Service Agency; or

(ii) any certificate issued by an accredited person or a State Service Agency and stating that the proposed use or development will result in an insufficient increase in risk from the environmental hazard or natural hazard to warrant any specific protection measures.

S.60AL(2) of the DAP Bill 2025 also requires the DAP to accept a certified bushfire hazard management plan, however, does not require acceptance of a certified exemption.

60AL. Determination of application by Assessment Panel

(2) In making a decision under subsection (1) in respect of an application, the Assessment Panel must –

- (a) ...*
- (b) ...*
- (c) ...*
- (d) ...*
- (e) accept a relevant bushfire hazard management plan, or other prescribed management plan relating to environmental hazards or natural hazards, that has been certified as acceptable by an accredited person or a State Service Agency; and*
- (f) ...*

TFS is of the view that the process followed by the two authorities should be consistent and recommends that draft s.60AL(2)(e) include reference to a certified exemption similar to s.51(d)(ii) of *LUPAA*.

If TFS can provide any further advice on this matter, please contact the Bushfire Planning and Policy team at bfp@fire.tas.gov.au.

Yours sincerely,

Jeremy Smith AFSM
FIRE AND EMERGENCY SERVICES COMMISSIONER

From: Anne L-B
Sent: Wednesday, 9 April 2025 1:35 PM
To: State Planning Office Your Say
Cc:

Subject: #SCRAPTHEDAP - Protect our rights & our voice

To whom it concerns

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

- ***The DAPs represent an alternate planning approval pathway allowing property developers to bypass local councils and communities. This fast-tracked process is inherently undemocratic as it will remove elected councillors from having a say on the most controversial and destructive developments affecting local communities. The current system isn't broken, and it doesn't require fixing with state-appointed centralised planning panels. Local concerns will be ignored in favour of developers who may not be from Tasmania.***

- ***The Tasmanian Planning Commission is not independent*** – DAPs are hand-picked, without detailed selection criteria and objective processes. DAPs are inconsistent with the principles of open justice as they do not hold hearings that are open to any member of the public and lack capacity to manage conflicts of interest (as per the 2020 Independent Review). DAPs do not have to provide written reasons for their decision (making it difficult to seek judicial review). Community input will be less effective because it will be delayed until after the DAP has consulted (behind closed doors) with the developer and any relevant government agencies and adopted its draft decision. That isn't democratic, and to exclude local councils and their communities from having a say on developments that will impact them until it's essentially too late is unfair and risks social unrest.
- ***Research demonstrates DAPs are pro-development and pro-government***, they rarely deeply engage with local communities, and they spend most of their time on smaller applications and take longer than local councils to make decisions.
- ***DAPs will make it easier to approve large scale contentious developments*** that are highly likely to meet with community resistance. Recent examples are the kunanyi/Mount Wellington cable car, high-rise hotels in Hobart and Launceston, the Cambria Green development, and proposed gondolas in Launceston's Cataract Gorge.
- ***Removes merit-based planning appeal rights*** via the planning tribunal on all the issues the community cares about like impacts on biodiversity; height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and so much more. The Tasmanian Civil and Administrative Tribunal (TASCAT) review of government decisions is an essential part of the rule of law and a democratic system of government based on 'checks and balances'.
- ***Removing merits-based planning appeals removes the opportunity for mediation on development applications in the planning tribunal.***
- ***Developments will only be appealable to the Supreme Court based on a point of law or process which have a narrow focus and are prohibitively expensive.***
- ***Removing merits-based planning appeals has the potential to increase corruption, reduce good planning outcomes, favour developers and undermine democracy.*** The NSW Independent Commission Against Corruption [recommended](#) the expansion of merit-based planning appeals as a

deterrent to corruption. Mainland experience demonstrates planning panels favour developers and undermine democratic accountability. Local planning panels, which are often dominated by members of the development sector, were created in NSW to stamp out corruption, but councillors from across the political spectrum [say](#) they favour developers and undermine democratic accountability. Mainland [research](#) demonstrates removing merits-based planning appeals has the potential to reduce good planning outcomes – including both environmental and social.

- **Increased ministerial power over the planning system increases the politicisation of critical planning decisions such as rezoning and risk of corrupt decisions.** The Planning Minister will decide if a development application meets the DAP criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning. How can communities have confidence the Planning Minister of the day has the necessary knowledge, experience or qualifications to make unbiased decisions that won't prove harmful to communities or the environment?
- **Eligibility criteria are so broad and undefined that it grants the Minister extraordinary power that is arbitrary and unchecked.** The Minister can declare a development to be assessed by a DAP based on a 'perceived conflict of interest', 'a real or perceived bias', 'the application relates to a development that may be considered significant'. The Planning Minister has political bias and can use this subjective criteria to intervene on virtually any development in favour of developers. That is hardly democratic or fair and is likely a contributing factor to why DAPs have failed to be successful elsewhere.

It should also be noted that the scope of the DAPs includes a range of other subjective factors that are not guided by any clear criteria:

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

- Given only about one per cent of the approximately 12,000 council planning decisions go to appeal, there is no problem to fix. My understanding is that Tasmania's planning system is the fastest in Australia. In some years as many as 80 per cent of appeals are resolved via mediation.
- Why increase complexity in an already complex planning system that is already making decisions quicker than any other jurisdiction in Australia?

The 2025 DAP Mark 2 model have barely been changed

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

Say yes to a healthy democracy

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

Thank you for the opportunity to make this submission.

Yours sincerely,

Anne Layton-Bennett