

**GLENORCHY CITY COUNCIL
ATTACHMENTS
MONDAY, 28 OCTOBER 2024**



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SEPTEMBER 2024

Independent Review of Education in Tasmania

Public Consultation Paper

Independent Education Review



Independent Reviewer's Foreword

I thank you for your interest in this Review and look forward to engaging further with the various interested parties who understand that education transforms lives and that it is key to improving equality and lifting economic and social outcomes for all children and young people, their families, communities and Tasmania.

The Minister for Education has set the Terms of Reference for this Review with an expectation that a report with recommendations will be delivered in December 2024. The Terms of Reference require the Review to provide advice on evidence based, implementable and impactful reforms that will improve Tasmania's education system and educational outcomes over the next decade. This means I am looking to make a small number of findings and recommendations. I will be grateful for your input to assist me in this task.

In undertaking this work, I am mindful of the previous reviews undertaken in Tasmania and Australia as well as the improvement work that is currently in train to inform the report's findings.

Vicki Baylis

Independent Reviewer and Education Specialist

Introduction

The Tasmanian education system is critical to the future of the State, playing an important role in supporting young Tasmanians to gain the skills and knowledge they need to fully contribute to their communities, economic future and lead their best lives.

The Independent Review of Education in Tasmania was announced by the Minister for Education on Monday 24 June 2024. Ms Vicki Baylis, a nationally respected educationalist, has been appointed to lead the Review.

On 16 August 2024, the Minister issued Terms of Reference for the Review. The Terms of Reference ask that the Review include the government and non-government school sectors with a focus on Kindergarten to Year 12. More information on the Review and its Terms of Reference can be found on the Review's webpage at www.ier.tas.gov.au.

Then objectives of this Review as outlined in the Terms of Reference are for a Tasmanian School System that:

- Implements evidence-based whole of school practices and pedagogy that lead to improved student educational outcomes and behaviour;
- Delivers high quality teaching that is evidence based and meets the needs of students at all levels;
- Effectively utilises resources to improve student outcomes and attract and retain a high-quality workforce;
- Contributes to the State's productivity by supporting a highly skilled local workforce to assist local businesses and industry to grow and compete; and
- Is accountable for improved student outcomes, including in remote and rural areas.

The Review is approaching its work with an open view on how Tasmania's education system could be improved. The Review intends to hear from interested stakeholders to seek input, guidance and perspectives to help the Review's thinking on key issues. The Review has released this consultation paper to support this engagement. This consultation paper considers Tasmania's demographic profile, socio-economic characteristics and draws on an evidence base of system data, previous reviews, academic literature and research, and discussions with key stakeholders.

The Review has purposefully kept this consultation paper succinct to support engagement on its key questions. It is structured so that each of the Terms of Reference themes has a summary box section, that contains the key issues and the questions the Review is wanting to hear responses on. The sections under the summary boxes provide more detail for those interested in understanding the context behind the questions and summary.

Theme 1 - Defining educational success

We need to ensure that our education system has clearly agreed objectives that are transparently reported. What does success look like after the formal years of schooling in the Tasmanian context and how do we better encourage our young people to aspire to achieve?

Summary

Education is important. It is important for individuals, because it gives them options for what they want to do in their lives, in employment and in society. It is important for Tasmania as a whole, because education leads to higher participation in employment, higher productivity and improved social outcomes. These facts are backed by considerable evidence.

How do we know whether a child or young person is on track, so that they finish school, with the confidence, creativity, knowledge and skills that gives them this best chance to achieve for themselves, their families and to contribute to Tasmania's society and economy?

The Review has heard that this is a challenging question and that, despite previous reviews, there does not appear to be a clear answer. This question is not unique to Tasmania – other states are grappling with explaining to young people what successfully finishing Year 12, or an equivalent can mean for them. Finishing Year 12 can be more than just the next step towards university, though it is not clear that the multiple pathways available are well understood or accepted as equally worthy.

The Review believes that all young people in Tasmania have high hopes for their futures, just like young people in other parts of the country. While many are already achieving their goals, the Review wants to hear how success by the end of schooling should be defined so that all young people can be better supported to go on to achieve their hopes.

Guiding questions

- What do you think are the reasons for finishing Year 12?
- What do you think success looks like during and after the formal years of schooling in Tasmania?
- How can we better encourage young people to aspire to achieve their ambitions?
- What is working well and why?

Every student in Tasmania deserves access to a high-quality education, no matter which school they attend. The *Tasmanian Education Act (2016)* requires that students participate in an Approved Learning Program until they complete Year 12 or an equivalent qualification (Lim, 2011), such as a Certificate III or an apprenticeship, or until they turn 18. Despite these requirements, many students disengage and do not fulfil these requirements, and even if they do, some still feel unprepared for the real world, and are uncertain about how to acquire the skills needed to secure a job or undertake further education and training.

The good news for young Tasmanians is that there are many opportunities for them. Tasmania's ageing population means that there will be a large proportion of Tasmania's workforce retiring over the next few decades. In fact, unless Tasmania improves its labour force participation rate and productivity, it will not have enough workers to provide the services Tasmanians expect from Government or the private sector; technology advancements alone are unlikely to fill the gap. The job for Government, educators and trainers is to make sure young people are educated sufficiently so that they are able to take up these opportunities, as it is critical for the future of all Tasmanians.

The State's future workforce needs demand diverse learning and training pathways, including vocational education, which is just as valuable to the economy as tertiary education. Yet the Review heard that senior secondary schooling is still seen by many as only being a pathway towards university, and that if you are not on that path, there is no reason to 'stick it out' at school until the end of Year 12. This was further reinforced by a perception that other forms of learning and training are of lower value.

This is not aided by the fact that the answer to the question of what success looks like varies among stakeholders. A common challenge is the lack of a consistent, achievable narrative that defines the various forms educational success can take. Without this narrative and the appropriate measures, it is difficult for all young Tasmanians to see their future opportunities and to aspire to and achieve their full potential.

An underlying tension appears to exist when defining success. It appears that broadening the definition beyond the Tasmanian Certificate of Education (TCE) could be considered as 'lowering' the standard by some, whereas other perspectives argue that if other appropriate qualifications are not sufficiently recognised in the narrative of success, some young people will continue to not see value in pursuing certain pathways.

Educational systems worldwide define student success in various ways, including academic achievement, well-being, and overall educational attainment. The question of what success looks like is not isolated to Tasmania and other states are similarly grappling with it. Western Australia for example has recently had an Expert Panel look into senior secondary schooling and released a blueprint for senior secondary pathways, which emphasises recognising and celebrating the "whole student," not just their academic performance (Louden, 2023; Gabriel, 2002). A review of secondary education in the Northern Territory also included a finding to articulate and recognise a broader conception of success in secondary schooling (Deloitte, 2023).

This is not a new issue for Tasmania. The Australian Council for Educational Research's (ACER) 2016 *Review of Years 9 to 12 Tasmania* highlighted the need to share a comprehensive, inclusive definition of success with young people and their families. This definition should promote various attainment outcomes for young people into early adulthood, focusing on long-term engagement in education and multiple pathways to success (Masters, 2016). This effectively said that success should also be measured by how well the education system prepares students for various post-school pathways, whether that be higher education, training, employment, or other life pursuits.

Despite this previous review and its recommendations, public reporting of attainment outcomes continues to highlight TCE attainment. While there is some reporting of other qualifications (such as VET, Qualifications Certificates and the Tasmanian Certificate of Educational Achievement), they are generally within detailed reports and there is no clear and easy narrative about how all these fit together to demonstrate student outcomes and their status relative to the TCE. This Review understands that part of the reason for this is that systems to track student outcomes across the various pathways are fragmented, and there is currently no way in which an 'integrated' picture of student attainment can easily be formed.

The future Tasmanian workforce depends on how well prepared its young people are. Every student deserves the opportunity to pursue their chosen pathway. The Review wants to hear what you think should be expected for students by the end of Year 12.

Theme 2 - Strengthening supports and engagement for all learners at all stages of their education

How can we collectively support Tasmanian learners to get the most out of their entire education experience and ensure all students reach their potential?

Summary

To ensure that all students reach their full potential, education must be inclusive, responsive to diverse needs, and built on strong partnerships and practices which have a strong evidence base. Supporting Tasmanian learners throughout their education requires a collective effort from schools, families, communities, and policymakers.

Being clear about the purpose of education and what success looks like supports children to have hopes and aspiration. Alongside of that, sustained family engagement is essential before and throughout all stages of education to maintain high expectations and support. The focus of this Review is Kindergarten to Year 12, and the continued support throughout a student's education journey.

The Review notes that early childhood is a critical foundation for learning. Young children who are engaged in play-based learning and are read to before they start school stand a much better chance of being able to learn when they go to school – there is plenty of evidence to show its impact on future learning outcomes. The Review has already heard of the many initiatives and services in Tasmania that support families to engage in early learning.

Starting school with sufficient engagement and learning is the ideal situation for students, and many who do are set up for success. This is not always the case; some students may not have this strong start or may fall behind throughout their educational journey.

The gap in learning growth, progress and attainment with peers gets wider for many students as they get older, and not being able to keep up is a major reason some students disengage from learning. This disengagement is seen in low and irregular attendance, behaviour issues and not completing Year 12. Much effort is put into trying to get these students to re-engage with learning and to get their progress back on track. The Review wants to hear about what works to engage and re-engage children and their families in learning.

Guiding questions

- What do families do well to support their children and young people in their learning?
- What support helps families to do this?
- What can be done to better support students who are struggling or at risk of falling behind to get back on track?
- How can we ensure all Tasmanian learners get the most out of their education and reach their full potential?

Inclusive involvement in the design and implementation of educational programs can help tailor education to meet the unique needs and aspirations of learners. This participatory approach empowers students and ensures that the education system reflects their interests and goals.

In Tasmania, there is already significant investment and support in place for family engagement during the early years before school starts, aimed at better preparing children and their families for schooling. The early childhood education and care sector plays an important part in this, together with State Government initiatives and programs.

The Review's Terms of Reference ask it to focus on Kindergarten to Year 12, and examining early childhood education and care is out of scope. However, the Review highlights the important role these services and programs play in engaging families and children in learning that establishes the foundations for learning into the early schooling years. There are important lessons to be learned from Tasmania's early years engagement approach, which demonstrates how strong partnerships between families, educators and communities promote the value of education.

Kindergarten, which is part of the schooling system is a strength in Tasmania. Most Tasmanians think of it as the first year of schooling, even though it is not compulsory and in most other states it is delivered outside the schooling system. In Tasmania, enrolment in Kindergarten has for a long time been practically universal – all children of Kindergarten age generally enrol to attend. This suggests there is 'good intention' going into schooling by families and their children, whilst recognising that economic factors such as parental work or education/training factors also play a part in such decisions.

Teachers and school leaders who build effective and collaborative partnerships with parents can significantly shape the education and wellbeing outcomes of their learners. The Review heard that family engagement decreases through schooling, particularly as young people enter high school. To some extent, where students are on track in their learning, have positive social behaviours and have good wellbeing, some might argue that having less family engagement is 'normal' as students get older; and is part of their growing independence. There is undoubtedly a different level of interaction between schools and families based on students age, but regardless of how well a student is travelling, sustaining an appropriate level of family involvement throughout all stages of education is important for maintaining high expectations and support for students.

The greatest risk is when learners fall behind and/or develop behavioural and wellbeing concerns, often resulting in disengagement and sometimes school sanctions (such as suspensions). A culture of low expectation grows if parents, teachers and other education staff, such as professional support workers, are not working together to encourage and support engagement (or re-engagement). Similarly, for students who are well equipped to meet expectations comfortably, there is a question about whether they are being supported to stretch themselves to higher achievement; Tasmania's NAPLAN results for more advantaged students suggests there is room for improvement.

The Review has heard that there appears to be a narrative in Tasmania that attributes low educational aspirations to some negative family attitudes towards formal education (Masters, 2016). Many Tasmanians have strong ties to their local areas and see distance and travel as barriers. Families worry that young people may leave their communities and not return. In part, this could be due to challenges in providing education and training to a small, widely dispersed population.

On the other hand, some stakeholders question whether this narrative reflects the reality or whether it is a system-reinforced perception that overlooks the potential and aspirations of these communities (Beswick, 2019). Teacher beliefs about students and their families are crucial in influencing educational aspirations and attainment. There are many stories from people who had a teacher who believed in and supported them, to achieve things that they or others thought they could not.

Developing strategies to support students from disadvantaged backgrounds is vital for ensuring equity in education and to improve education outcomes for individuals and Tasmania as a whole. This involves providing resources, guidance, and opportunities that cater to the specific needs of these students, enabling them to reach their full potential. There is much investment and resources that already goes into such efforts, but it is difficult to see what is working well. The Review wants to hear where initiatives are having a positive impact and to see the evidence of where efforts to engage students and their families is working.

Theme 3 - Outcomes at the conclusion of the formal years of schooling

Noting the specific challenges that emerge as young people progress through schooling; how can we improve attendance, retention, attainment and student outcomes to better support choice of learning and career pathways?

Summary

It is crucial that the State's secondary education system adapts to the changing world. Future students will need a broader and different set of skills than today's. It's clear that Tasmania needs to rethink the goals of senior secondary education in particular to better match what students want and ensure schools and school systems meet the needs of all students, including those in rural and disadvantaged areas. There is a need to find the right balance between offering subjects that interest students and those that prepare them for life after school, whether in further education, training, or work.

There is no doubt that if more Tasmanian students finish Year 10 on track and engaged in their learning, more would be able to complete Year 12 or an equivalent. It is not surprising that students who have become disengaged through their schooling often do not go on to complete Year 12.

Amongst other reforms, a review in 2016 of Years 9 to 12 was intended to modernise the curriculum approach and to build or strengthen networks between schools for these senior years in Tasmania. This Review has heard that the intention of these reforms still has some way to go in terms of its outcomes being realised. While there is some networking and collaboration between colleges and high schools, the change a student experiences between Year 10 to Year 11 is not always seamless and does not prepare some of them well for the experience in Years 11 and 12.

The education debate in Tasmania has often centred on the government college system for Years 11 and 12. The expansion of Years 11 and 12 in government high schools was aimed at overcoming this transition, by allowing students to stay in their high school for their senior secondary education. For students in regional areas in particular, the initiative was designed to remove the barrier of having to move or travel long distances to attend Years 11 and 12.

The Review is open to hearing about the structure of senior secondary education. But improving attendance, retention and attainment is complex and extends to access, equity and the relevance of how what is taught and how it is assessed can be made as relevant and seamless as possible for students.

The Review would also like to hear about how students can be supported through their secondary years of schooling so they are confident to make informed choices about what they are learning and where this can lead after school.

Guiding questions

- How best can students be supported to successfully complete and achieve by the end of Year 12?
- What are the top 2 or 3 priorities or changes you believe are needed so all Tasmanian young people can complete Year 12 or an equivalent?
- What are the most important ways to support choice for students?

As outlined in Theme 1, students need a clear reason why they should complete their Year 12 or an equivalent. If that clear reason exists, and all the supports are in place to keep them engaged and their learning is on track through their schooling years, then the next question is how best can they be supported to complete and achieve by the end of Year 12?

In 2016, the ACER *Review of Years 9 to 12* identified several challenges faced by students in Tasmania, such as weak literacy and numeracy levels, low attendance rates, and high anxiety during transitions between Year 10 and Year 11 (Masters, 2016). Additionally, it highlighted issues like family, financial, health, and carer responsibilities as barriers to educational aspiration.

The overall structure of the Tasmanian senior secondary curriculum is complicated to understand (Masters, 2016). Historically, most Tasmanians think of high school as Years 7 to 10 and senior secondary school as Years 11 and 12 and delivered in colleges, unlike most other states and territories where high schools cover all secondary years (Years 7 to 12). Some Tasmanian non-government schools have different structures.

The ACER Review effectively aimed to disrupt the traditional perception of senior secondary education being 'siloed' to years 11 and 12, and instead create greater alignment across Years 9 to 12 so that students would see clear pathways to pursue across all these important years.

The Review is aware that there was much attention and effort in responding to the ACER Review by all three education sectors. The Review will be exploring further the status of the ACER Review's recommendations for the improvement in students' attendance, retention and attainment outcomes. ACER's overarching recommendations were to:

- Take a holistic approach to system and sector improvements
- Review and update the formal curriculum, assessment, reporting and accreditation requirements
- Consider the establishment of multi-campus schools
- Initiate regular long-term strategies to change public perceptions about the value of school education and VET in Schools
- Implement a development strategy to support the rejuvenation of the workforce and potentially, the implementation of multi-campus schools
- Improve the status of VET and VEL in schools through community involvement in the development of a future vision and associated implementation strategy
- Re-evaluate the nature and use of data collected (Masters, 2016).

The roll out of 'extension schools' has seen all government high schools make Years 11 and 12 available, as an alternative option to going to a college. This initiative aims to overcome the distance barrier for students in regional and rural areas, whilst also providing an alternative for urban-based students who may not have wanted to attend a college. While extension schools provide an option for completing Year 12, reported enrolments remain low as do the attendance, retention and attainment outcomes.

There are diverse views about the Year 9 to 12 curriculum, either too many to choose from or the number of choices aligns with what's offered on the 'mainland'. In recognition of the scale issues faced by most extension schools, schools and colleges in the government system work together in regional partnerships so that students have greater course offering choices they can access (including online).

Some argue that this dual system is to blame for Tasmania's apparent poor education outcomes by the end of schooling, and that abolishing colleges is the solution. Others argue that comparisons with other states are unfair because different states report different things. They argue that colleges provide the best solution for the majority of students, as they provide sufficient size to be able to provide a variety of course offerings to a relatively small population. They also argue that success in the senior secondary years is more dependent on the integration across structure, curriculum, family and student engagement, and teacher practice; particularly 'specialisation' which reduces mobility between teaching Years 11 and 12, and years 9 and 10 in particular.

The Review would like to hear stakeholder perspectives on what is working well from these and other reforms, and what more needs to be done.

Theme 4 - Support for our teaching workforce

How do we attract, support and develop teachers and school leaders to be effective and successful practitioners who can confidently deliver high quality, evidence-based teaching that meets the needs of students at all levels?

Summary

Tasmanian teachers are working hard. Improving student engagement, retention, and attainment in Tasmania relies heavily on the effectiveness of teachers, support staff and school leaders. Despite challenges such as workforce shortages and increased workloads, Tasmanian schools generally perform well when compared to similar primary and high schools across Australia.

To ensure Tasmania's future is one of prosperity and higher educational attainment, it's essential to build on current strengths and actively seek out what's missing. By fostering a highly skilled and supported education workforce, Tasmania's children will engage deeply in their learning, so they thrive and have choices beyond the formal years of school; helping to overcome barriers posed by circumstance.

There is much public commentary about the plight of teachers, particularly high workloads and expectations that are leading to burn out, teachers leaving the profession, and not making the job sound attractive to future potential teachers. Tasmania must address this if we want to continue to have great teachers and school leaders.

The fact that Tasmania has good teachers is a great place to start. The Review has already heard that Tasmania needs to make sure that all educators are well supported and provided with appropriate and relevant professional development and have reduced reporting and administrative burden. The Review heard that this was important for all, from beginning career teachers right through to senior teachers and for those who step into school leadership roles.

If Tasmania wants to make teaching an attractive profession for people to want to enter and then stay, then it must be accepted that teachers cannot do everything. The Review wants to hear what people think is the most important things teachers should focus on, and how these can be best supported.

Guiding questions

- How can we get more great teachers and school leaders and help them do their jobs well?
- How can we keep the existing workforce feeling energised and supported so they stay?

NAPLAN results over time suggests that Tasmanian teachers do in fact do a good job given the diverse range of students they teach. When comparing like schools across the country, Tasmanian schools perform reasonably well in NAPLAN results; mostly comparable to similar Australian schools, sometimes performing better. There is, however, some evidence that more advantaged students, while performing well in the Tasmanian context, do not do as well as their peers interstate.

Overall, this indicates that Tasmania has a good starting point for improvement, though like nationally, workforce shortages remain challenging. There is significant Australian and international work on the factors that contribute to these problems and the responses to address them (Australian Government, 2022).

The challenges of teacher workforce shortages and workload pressures are at the forefront of Education Ministers' concerns (Education Ministers Meeting, 2022) and there is a national strategy aimed at addressing these issues.

Teacher workloads and their complexity have increased over time (Hunter J. S., 2022). The top factors influencing teachers' intentions to leave the profession include workload and coping, recognition and reward, and classroom factors (AITSL, 2023). The Review recognises that pay and conditions are a factor in any employment market. However, the Review will not be examining teacher remuneration. There are different industrial arrangements across the different education sectors and there are existing industrial mechanisms for how arrangements are negotiated. Furthermore, the timeframe for this Review does not support an in-depth analysis of teacher remuneration in Tasmania.

According to a national survey of teachers, a feature of the Tasmanian teacher workforce is that they are older and more likely to work part time than their peers interstate. This difference is likely to explain that, when compared with their national peers, Tasmanian teachers work less hours, engage less in professional learning, have less face-to-face time with students in the classroom, and spend less time lesson planning and marking (AITSL, 2023). Time spent on administrative tasks is also less than nationally, but it has been increasing over time.

There appears to be a need for a twofold approach; the first is to reduce requirements on teachers, particularly those that are administrative in nature and provide little benefit to students (OECD, 2019). The second is to complement the simplification of what is asked of school leaders and teachers, with improved support for implementing initiatives and practical professional learning that focusses on teaching practice.

The Review has already heard of some examples in which Tasmanian teachers report increased workload. In particular, the requirements around student learning plans and reporting to families, at least in government schools. The Review is interested in hearing more about what in the Tasmanian context is expected of teachers, that appears to have little impact on student learning and progress and how it could be reduced.

Great teaching starts with great teachers, but having great teachers isn't enough. Great school systems equip those teachers with the right tools and supports to succeed (Bryant, 2024).

Top-performing education systems recruit teachers from the top quartile of their training cohort, offering multiple pathways into the profession and hiring early. Practical pre-service training, including being in the classroom, is crucial to ensuring that future teachers are well-prepared for the practicalities of what they will experience in the classroom. This training should align with professional standards and classroom practices, providing opportunities for hands-on experience, coaching, and real-time feedback.

Ongoing professional development is vital for all teachers to grow as effective educators. This development should be embedded in their daily work, aligned with the curriculum, and foster collaboration and innovation through professional learning networks. Effective professional development helps teachers stay current with the latest educational practices and enhances their ability to meet diverse student needs.

The Review has heard already that while Tasmania offers various supports to its teachers, there is a need to enhance professional learning and peer support, particularly in areas related to teaching and learning. The Review has also heard that professional learning has in recent times become increasingly focussed on administrative and compliance obligations, at the expense of a focus on teaching practice.

One of Tasmania's challenges is consistent staffing, particularly in rural and remote areas. It is often the least experienced leaders, placed in rural areas, in the most complex communities with the newest teachers (Masters, 2016). Similarly, diversity of learning needs in a classroom is a challenge for teachers. Teaching the curriculum to a classroom with some students who may be a year or more behind in their expected learning development, whilst others may be a year or more above expectations, creates challenges for teachers in being able to teach effectively and equitably to these diverse needs.

It appears that there is an opportunity for educators to be better supported centrally and/or to be able to build a professional network that connects across regions and communities. Reducing duplication across schools, particularly small schools, could help support sustainable workloads for teachers, especially in the context of workforce shortages.

School leaders, especially Principals, play a critical role in the success of both students and teachers. Effective Principals not only manage school operations but also lead teaching teams, set a clear vision, and build teachers' skills through observation, coaching, and data-driven programs. The impact of strong leadership on student learning cannot be overstated, and investing in the development of school leaders is essential for the overall success of the education system. The Review would like to hear about the challenges and opportunities for school leaders in Tasmania, particularly how they can be better supported to lead effectively, manage workloads, and drive positive outcomes for both students and teachers.

Theme 5 - Accountability for improved outcomes

How do we ensure that policy initiatives are implemented, and resources are used to improve learning outcomes?

Summary

The Tasmanian education system has a history of ambitious reforms that were well-intentioned, but they were not always effectively implemented. This situation is not unique to education, and it is not unique to Tasmania. Often the issue is a gap between policy ideas not translating to actual improvements in the classroom, and the lesson seems to be that it is equally crucial to focus on what changes are needed along with how to apply them effectively.

A strong education system depends on proven practices and clear strategies. Successful reforms need a plan that sets clear priorities, builds strong leadership, and creates support structures. Open communication with educators and families is key to building trust and backing for new initiatives.

While all of that is important, the Review has already heard that the practical help for teachers and school leaders could be better so that they can implement initiatives and sustain them. For educators, sometimes it is not enough support and other times the support is not consistent, too complex or 'not the right fit'. Sometimes the support is not sustained for long enough to help teachers and school leaders embed change. Implementing major initiatives can only hope to be successful if there is the time and space to do so, so teacher workload is a factor.

There must be accountability for outcomes to ensure confidence in what is being done is working. The Review is interested to hear what works well to make sure that policy initiatives translate to improved learning outcomes.

Guiding questions

- What helps teachers and school leaders implement initiatives so that the focus on improvement is maintained?
- How do we ensure that policy initiatives are effectively implemented and that resources are used to improve learning outcomes?

Education reform takes time, particularly where cultural change is required to support improved learning outcomes. One of the most significant barriers to success is often implementation. Many systems' well-intentioned improvement efforts fail to translate into meaningful learning gains for students. The gap between policy formulation and successful implementation is a common challenge in school systems worldwide, with many reforms losing momentum before they can make a tangible impact in the classroom (Bryant, 2024).

To ensure lasting change, leaders must not only know the right interventions to use but also how to implement them effectively at scale. Without a clear implementation strategy, even the most promising initiatives can falter in the face of political or community pushback, changing circumstances, or a lack of sustained effort (Bryant, 2024). Instead of staying committed to evidence-based reforms, policy makers often chase the next new idea to solve the same problems, and this over time can cause change fatigue and scepticism.

The Tasmanian education system has a long history of ambitious reforms, many of which were highlighted in the 2016 ACER Review (Masters, 2016). However, the question remains: how well have these recommendations been implemented and evaluated?

To improve outcomes, any initiative must be evidence-based. Education leaders must learn from both national and international success stories and consider their merits in the Tasmanian context. It is important to recognise the context in which reforms are being introduced; understanding where the system currently stands allows for a tailored approach to improve. For example, if a system is only performing 'fairly', it cannot be expected to move to 'great performance' immediately (Bryant, 2024).

Any significant long-term changes to how education is organised, structured, or delivered necessitates extensive community consultation and 'buy in' by the majority to ensure that the changes resonate with and are supported by those they aim to benefit (Masters, 2016).

Change management strategies must be carefully designed to ensure that teachers and school leaders can navigate these changes without additional stress or burnout. This requires setting fewer priorities to get more done by focusing on coherent, sustained, and evidence-based goals. Practical, 'on-the-ground' support for school leaders and teachers is also required. The Review has already heard examples such as teachers (particularly early career teachers) wanting more practical support for things like lesson planning.

Data plays a critical role in driving and adapting educational reforms and ensuring accountability for outcomes. Measuring student, school and system outcomes and making these data transparent helps create momentum for change and allows for the continuous tailoring and adaptation of policies. While it is important to stay the course on evidence-based reforms, there must also be space for innovation. Experimentation and evidence-building should go together to refine what works best in the Tasmanian context.

Holding accountability for outcomes is simple in theory but difficult in practice, because there are many factors that can influence outcomes, some of which are outside of the control of a teacher, a school, a school system or even a Government. But that is not an excuse not to assign accountability. Parents and carers expect teachers to deliver the best learning outcomes for their children and for schools to support that outcome. They and the broader community expect that school systems (in the case of Government and Catholic education sectors), and the Government, to be accountable for achieving the best education outcomes for children and young people so that Tasmania has a future capable workforce and vibrant communities.

The Review observes with interest the introduction of a minimum of one hour per day of structured literacy instruction in government schools Prep to Year 6 from 2025. This is part of a broader *Lifting Literacy Plan* that mandates that by 2026, all Tasmanian students will be taught to read in a systematic and explicit way based on the latest research and evidence. This is a fundamental reform that is evidence-based, appears to be supported with practical support (the Review notes a specific training package for teachers and school leaders is being delivered at the time this Paper was being written), and has an accountability mechanism through the independent Lifting Literacy Outcomes Monitoring Group.

The Review is interested to hear more about how to improve implementation of initiatives in Tasmanian schools.

How to make a submission

The Review welcomes evidence-based submissions or comments from all interested parties on any matter within the scope of this consultation paper. To assist with the preparation of submissions, the paper contains questions of particular interest which are located at points throughout the paper. Respondents need not feel obliged to comment on all questions, as the Review will also welcome responses to selected questions.

To promote transparency, the review intends to publish submissions on its webpage. The Review may decline to publish certain submissions (or parts of submissions) where there are issues concerning appropriateness or confidentiality. If the author of a submission wishes to claim confidentiality in relation to a submission or a part of a submission, this should be clearly indicated and justified, and will be respected.

Where only parts of a submission are requested to be confidential, they should be submitted as an attachment to that part suitable for publication.

To facilitate the publication of submissions on the website, submissions should be electronic where possible. Submissions should be lodged by Sunday 13 October 2024 and can be either emailed to contact@ier.tas.gov.au or a hard copy submission sent to GPO Box 104, Hobart, Tasmania, Australia 7001.

Where to find more information

The following suggestions are for readers who have an interest in finding more information on Tasmania's education system and its performance. These suggestions are not exhaustive of all relevant sources of information and nor should be read as ones preferred by the Review.

[Australian Council for Education Research \(https://www.acer.org/au\)](https://www.acer.org/au)

[Australian Curriculum, Assessment and Reporting Authority \(https://acara.edu.au/\)](https://acara.edu.au/)

[Australian Education Research Organisation \(https://www.edresearch.edu.au/\)](https://www.edresearch.edu.au/)

[Australian Institute for Teaching and School Leadership \(https://www.aitsl.edu.au/\)](https://www.aitsl.edu.au/)

[Catholic Education Tasmania \(https://catholic.tas.edu.au/\)](https://catholic.tas.edu.au/)

[Department for Education, Children and Young People \(https://www.decyp.tas.gov.au/\)](https://www.decyp.tas.gov.au/)

[Independent Schools Tasmania \(https://independentschools.tas.edu.au/\)](https://independentschools.tas.edu.au/)

[Peter Underwood Centre \(https://www.utas.edu.au/community-and-partners/peter-underwood-centre\)](https://www.utas.edu.au/community-and-partners/peter-underwood-centre)

[Tasmanian Assessment, Standards and Certification \(https://www.tasc.tas.gov.au/\)](https://www.tasc.tas.gov.au/)

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Glenorchy City Council is pleased to respond to the Independent Review of Education Public Consultation Paper because we believe that a strong education system is vital to a city with our demographic profile.

The importance of a robust education system:

Glenorchy has experienced significant growth in recent years. From 2016 to 2021, the City's population increased by over 4 000 people or nine per cent. The largest change in age over this time was an increase of nearly 3 500 people in the 25 – 34 year age group. With a median age of 37, we have the equal second youngest demographic in Tasmania.

A strong education system is essential for meeting the needs of our growing population. This demographic often includes individuals starting families so the demand for quality schools and early childhood education is increased.

A robust education system will ensure that Glenorchy can provide these services and remain an attractive place for new residents to settle and thrive. Good schools and educational opportunities make the city more attractive for businesses and workers alike, fostering a cycle of investment and prosperity.

Glenorchy is also culturally diverse, with 26.1 per cent of our residents born overseas. Of this cohort, 33 per cent arrived from 2016 onwards. Our residents come from 72 different countries and nearly 19 per cent speak a language other than English at home.

A strong education system can play a key role in building social cohesion and helping newcomers integrate into the community. It can provide language programs and support for children and families, helping them to build connections within the community. This not only benefits the individuals but also contributes to a more inclusive city.

Providing language support and culturally responsive education ensures that students from various backgrounds have equal opportunities to succeed. This is crucial for preparing a diverse, skilled workforce that can contribute to the local economy and drive further growth.

Over five per cent of the City's population identify as Aboriginal or Torres Strait Islander, which is a higher proportion than the Greater Hobart area.

A strong system can help close educational gaps, support Indigenous-led initiatives, and foster an environment where cultural knowledge is respected and shared, promoting social cohesion and community pride.

As a result, Education is a central priority in Glenorchy's Community Plan 2015–2040. Our community goal, "Making Lives Better," envisions a future where young people and their families an active part in their education and their community.



How we have responded:

Elected Members and key staff were invited to review the Public Consultation Paper and encouraged to respond to the guiding questions for each of the five themes. This feedback has been compiled and is provided below as Council's draft response.

This feedback is provided to the Office of the Independent Education Review as a draft only and not to be published ahead of formal ratification by Council at its next General Meeting on 28 October.

Elected Members and staff were also encouraged to respond to the Independent Education Review survey on an individual basis.

Council's response to the Public Consultation Paper:

Theme 1 – Defining educational success

What do you think are the reasons for finishing Year 12?

It is important for students to recognise the long-term significance of completing their education, not just for their own future but for the well-being of their families and the broader community. Awareness of how education can affect their future financial stability, job prospects, and overall quality of life can motivate students to stay committed to finishing Year 12. Reasons to complete Year 12 include:

- **Learning and skill development:** Year 12 provides an opportunity for students to deepen their knowledge and skills, which can be important for both personal growth and future career prospects. However, for those students who find traditional classroom learning challenging, practical alternatives like traineeships or TAFE courses can offer similar benefits in a more hands-on environment.
- **Social interaction and support:** The social environment of school up to Year 12 helps students build relationships, communication skills, and networks that can be beneficial for their personal and professional lives. These social aspects can be vital for developing teamwork, resilience, and a sense of belonging.
- **Further education qualification:** Completing Year 12 is often a stepping stone to higher education, such as university or specialised training. It provides students with the qualifications needed to access these pathways and pursue their desired careers. Specifically, the Tasmanian Certificate of Education (TCE) is an important qualification that signifies the completion of Year 11 and 12. Therefore, the purpose and value of the TCE should be made clear to every student, including those who may be disengaged or struggling with the traditional school setting. Understanding how the TCE impacts their future opportunities is crucial.



What do you think success looks like during and after the formal years of schooling in Tasmania?

Success is multi-dimensional, encompassing both an individual's personal growth and their ability to navigate and contribute to the world around them. Generally, success can be defined by a combination of personal fulfillment, contribution to society, skill development, and practical preparedness.

- **Personal fulfillment:** Success means feeling happy, content, and fulfilled in whatever path is chosen—whether it's further education, entering the workforce, or exploring personal interests. A sense of well-being and satisfaction with life choices is a key indicator of success.
- **Contributing to society:** A successful transition from school includes finding ways to contribute to the community, either through paid work or volunteer efforts. This contribution helps build a sense of purpose and connection to society, while also allowing individuals to give back.
- **Increased self-confidence and opportunities:** Completing formal education should result in greater self-confidence and access to a wider range of opportunities. Ideally, this would lead to better employment prospects and the potential for higher income, enhancing an individual's ability to achieve their goals.
- **Academic and life skills development:** Success is also about acquiring a blend of academic knowledge, life skills, and social abilities. This includes learning in specific interest areas like sports, arts, drama, trades, and music, as well as gaining broader social and communication skills. Making life skills education a core component of the TCE, alongside subjects like Maths and English, would be transformative. Practical courses in consumer studies, money management, and financial literacy are essential for equipping students with the skills needed for real-world challenges.

How can we better encourage young people to aspire to achieve their ambitions?

Encouraging young people to pursue their ambitions involves offering personalised support, fostering engagement, and highlighting the value of diverse career paths. This can be done by:

- **Meeting them where they are at:** Recognise that formal schooling doesn't suit everyone. Providing learning and support that is tailored to each student's unique needs and interests can help prevent disengagement from school and society. This approach can keep them on a positive path by making education more relevant to their lives. For students who are not academically inclined, it's crucial to identify what excites and motivates them, then structure their education around those interests. Success doesn't always mean pursuing a professional career—what matters is that young people feel happy and fulfilled in whatever they choose to do.
- **Mentorship and career engagement:** Mentoring by community leaders and greater exposure to career opportunities can help young people see the possibilities for their future. Having role models and mentors can provide guidance, motivation, and inspiration, making the pursuit of ambitions feel more attainable.



- **Clearer pathways beyond formal schooling:** Streamlining access to career advice and support can make a significant difference. Instead of requiring appointments with career counsellors who may offer only minimal support, providing more proactive and enthusiastic guidance can help students better understand the paths to achieving their dreams.
- **Valuing all career paths equally:** It's important to emphasise that all career choices contribute meaningfully to society. Highlighting the value of diverse paths—whether in trades, arts, or professional fields—helps students see how their choices can impact not only their future but also their families and communities. Understanding the long-term impact of today's decisions can encourage young people to aim high and pursue their aspirations with purpose.

What is working well and why?

- **Flexible learning options:** Different educational models that cater to a variety of learning needs have been established, providing more flexible options for students who don't fit into the traditional mould. These alternatives can help keep students engaged and learning for longer, especially those who might struggle in a standard classroom setting. Promoting and valuing these options more could help reach even more students.
- **Dedicated teachers:** There are many dedicated teachers who are committed to helping students succeed. Their efforts make a positive difference in the lives of students and support those who are engaged in the learning process.
- **Success at the top tier:** Academically, the system seems to be effective for high-achieving students, providing them with the resources and opportunities to excel. However, the middle and lower-performing students often face more difficulties, indicating a need for more tailored support to ensure their success.

Despite the successes, the challenge remains in addressing the needs of those students who are disengaged and not regularly attending school. Emphasising flexible education models and pathways and providing more targeted support for all students could help bridge these gaps.

Theme 2 - Strengthening supports and engagement for all learners at all stages of their education

What do families do well to support their children and young people in their learning?

Families play a crucial role in supporting their children's learning through a combination of valuing education, providing advocacy, and engaging in activities that foster learning. Families can contribute significantly to their children's success, creating a supportive environment that helps them thrive in their education.

- **Valuing education:** Many families emphasise the importance of education, encouraging a positive attitude toward learning. This mindset helps children understand the value of staying engaged in their studies and striving for success.



- **Providing support and advocacy:** Families often advocate for their children, especially when challenges arise within the formal education system. This includes working with schools to address issues and ensuring that their child's needs are met, helping them navigate any difficulties they may encounter.
- **Awareness of alternative options:** It's important for parents to be informed about the variety of educational pathways available, particularly if the traditional school environment isn't working for their child. By being aware of alternatives like flexible learning models or vocational training, families can guide their children toward options that better suit their needs and interests.
- **Engaging in reading:** Reading to children is a foundational way that families support learning, particularly in the early years. It not only helps develop literacy skills but also fosters a love for reading and learning, setting a positive tone for their educational journey.

What support helps families to do this?

Supporting families to help their children succeed in education involves a range of coordinated efforts, resources, and community support. This support creates a stronger foundation for families, enabling them to play an active role in their children's education and overall well-being.

- **Coordinated approach to education:** A well-coordinated approach across the entire educational system can help families navigate the resources and support available to them regardless of which school they are at, and whether they move. Consistent communication between schools, community organisations, and families ensures that everyone is working together to support the child's learning journey.
- **Clear guidance for parents:** Providing parents with clear, practical instructions on how they can support their children's learning is crucial. This includes tips for encouraging daily school attendance, creating a positive learning environment at home, and fostering good study habits.
- **Improving parents' literacy and numeracy skills:** Helping parents enhance their own literacy and numeracy skills can better equip them to assist their children with homework and other educational tasks. Adult education programs or community workshops can play a significant role in this area.
- **Emphasizing the importance of education:** Ongoing communication about the value of education and regular school attendance is important. Reminding families of the long-term benefits of education for their children's future can help reinforce the habit of attending school daily.
- **Support for disengaged students:** Support from schools and community members who recognise when a child is struggling or disengaged can be vital. Providing encouragement and acknowledging the effort, even if it's just "doing their best," helps maintain a positive attitude toward learning and school.



- **Addressing generational influences and socioeconomic factors:** Addressing broader social issues like generational poverty, access to safe and secure housing, and support for families escaping domestic violence can create a more stable environment for learning. When families are secure and stable, they are better able to focus on their child's education.

What can be done to better support students who are struggling or at risk of falling behind to get back on track?

It is important to provide personalised support, practical learning opportunities, and systemic changes that help all students find their path to success, whether it be through academic or vocational avenues. Suggested strategies include:

- **Promoting and valuing alternative pathways:** There should be greater recognition and value placed on alternative education options, such as traineeships, apprenticeships, and vocational education. Making these pathways more accessible and visible within schools can provide students with a clearer sense of direction and a tangible goal, especially if they are not thriving in a traditional academic setting. The process of securing a traineeship or apprenticeship should be made easier and more transparent. Currently, access to these opportunities often depends on parental connections, making it challenging for many students. Schools should actively offer and promote these pathways, ensuring that all students, regardless of background, have equal access to practical learning opportunities.
- **Integrating TAFE and School-Based Apprenticeships:** Allowing students from Year 9 onward to participate in TAFE courses or school-based apprenticeships can be a game-changer for those who are more practically oriented. This would provide students with hands-on learning opportunities alongside their formal education, making the transition into the workforce smoother. A more integrated public education system, combining high school, college, and TAFE, could provide students with set pathways tailored to their goals. This system would ensure a seamless flow from apprenticeships into the workforce or from academic subjects into university. Each path should be equally respected and aligned with a student's interests and abilities, allowing them to explore their potential without being pigeonholed.
- **Early intervention and one-on-one support:** Identifying and engaging students early when they begin to show signs of struggling is crucial. One-on-one support can help address specific challenges before they escalate. A short-term intervention is not enough—students benefit most from consistent, focused support over time.
- **Long-term work experience opportunities:** Providing students with the opportunity for extended work experience can be beneficial. Connecting students with local businesses allows them to gain practical skills and experience, with the possibility of transitioning into employment if the arrangement is successful. This not only helps students build real-world skills but also addresses local workforce needs.



- **Consistent school engagement:** Students should not be allowed to disengage from school without adequate support. Allowing students to attend school part-time without sufficient intervention can diminish the perceived value of education at a critical stage in their development. Schools and the education department need to take responsibility for ensuring all students receive the education and support they need, without exceptions.

How can we ensure all Tasmanian learners get the most out of their education and reach their full potential?

Ensuring that all Tasmanian learners get the most out of their education and reach their full potential requires a more individualised, inclusive, and supportive approach. Key strategies include:

- **Personalised support and meeting learners where they are:** Tailoring education to meet students at their current level of ability and interest can help keep them engaged and motivated. Recognising that every learner is different, schools should offer a range of options that cater to diverse learning styles, whether academic or vocational.
- **Broadening career pathways beyond university:** It's essential to move away from a one-size-fits-all approach that emphasises university as the primary route to success. Providing students with better, tailored career advice can help them explore other paths, like trades, apprenticeships, or vocational training, that align more closely with their skills and interests.
- **Enhanced discipline and respect in schools:** Addressing behavioural challenges and fostering a culture of respect within schools is crucial. This includes reinforcing discipline and ensuring that consequences are meaningful. A respectful learning environment can enhance student engagement and improve the overall educational experience.
- **Support for teachers through additional resources:** Teachers should be supported with more resources, such as additional teachers' aides, especially in classrooms where students face diverse social or disability-related challenges. This support allows for more individualised attention and better management of the classroom, leading to a more inclusive and effective learning environment.



Theme 3 - Outcomes at the conclusion of the formal years of schooling

How best can students be supported to successfully complete and achieve by the end of Year 12?

Supporting students to successfully complete and achieve by the end of Year 12 requires a focus on personalised learning, engagement, and adequate resourcing. Key strategies include:

- **Personalised learning:** Recognising that every student learns differently is crucial. The education system needs to adapt to diverse learning styles, ensuring that students have options that go beyond formal academics. By offering varied learning pathways, such as hands-on, vocational, or creative approaches, students are more likely to remain engaged and motivated.
- **Ensuring student engagement:** Keeping students engaged in their learning journey is essential for their success. This may mean offering alternative methods of learning or providing opportunities that align more closely with their interests and strengths. Engaged students are more likely to stay in school and complete their education.
- **Better resourcing for schools:** Schools need to be equipped with the necessary resources to support students effectively. This includes having competent and committed teachers as well as sufficient support staff, such as teachers' aides, to ensure that every student receives the attention they need. Well-resourced schools are better positioned to address the varied needs of their student populations.

What are the top 2 or 3 priorities or changes you believe are needed so all Tasmanian young people can complete Year 12 or an equivalent?

- **Enhanced support and differentiated learning:** Providing better, individualised support is crucial. This means offering differentiated learning pathways that cater to the varied needs, interests, and learning styles of students. It includes focusing on practical as well as academic options, so that all students, regardless of their strengths, remain engaged and motivated. A sharper focus on the importance and value of education, reinforced through tailored support, will help students understand why staying in school is beneficial for their future.
- **Investment in addressing social determinants and creating safe school environments:** More investment in tackling social challenges like poverty, food insecurity, and mental health is essential. Increasing awareness and support for mental health, providing access to nutritious meals, and supporting families experiencing domestic violence will create a stronger foundation for students. Schools must be safe and welcoming environments where students feel comfortable attending. Providing basics like breakfast and lunch, as well as access to student psychologists and social workers, can make schools a more inclusive and supportive space for all young people.



- **More targeted investment in education:** Addressing the under or mis-directed investment in education is critical, as this has long-term impacts on the opportunities available to students. Ensuring that schools are well-resourced, with enough qualified teachers and support staff, will allow them to better meet the needs of their students. Effective use of available resources is also key to providing high-quality education and support, ensuring that the system can respond to challenges and help every student succeed.

What are the most important ways to support choice for students?

Supporting choice for students involves a variety of approaches that prioritise their voices and cater to their individual learning styles. We can create a more supportive and flexible environments that respect student choice and encourages them to take ownership of their learning journey through:

- **Active listening and engagement:** Schools and educators must genuinely listen to students and take their perspectives into account. This means creating an open dialogue where students feel safe to express their thoughts, interests, and preferences regarding their education. Understanding what students want and need can help tailor educational pathways that resonate with them.
- **Recognition of diverse learning styles:** Acknowledging that students learn in different ways is essential. Schools should provide resources and teaching methods that accommodate varied learning styles—whether visual, auditory, kinaesthetic, or a combination. This differentiation allows students to engage with the material in ways that best suit their individual strengths.
- **Appropriate resources and support:** Providing the right resources to meet differing needs is crucial for fostering choice. This includes access to diverse educational materials, technologies, and support systems that enable students to pursue their interests and passions. Schools should offer a range of subjects, extracurricular activities, and vocational training options that empower students to make informed choices about their education.

Theme 4 - Support for our teaching workforce

How can we get more great teachers and school leaders and help them do their jobs well?

By implementing the following strategies the education system can cultivate an environment that supports great teachers and school leaders, ultimately leading to improved outcomes for students.

- **Empower effective school leadership:** Ensure that school leaders are true leaders, equipped with the skills and vision to guide their schools effectively. Placing strong leaders in schools that are harder to staff can make a significant difference in the overall school climate and student outcomes.



- **Support and compensation:** Compensate and provide adequate support for teachers and leaders working in challenging environments. Rather than viewing positions in tough schools as a punishment, these roles should be recognised as vital and deserving of additional resources, training, and financial incentives. Additionally, ensure that high-performing teachers receive competitive pay and support, including resources to promote discipline and respect in the classroom. Recognising and rewarding effective educators will help attract and retain high-quality teaching staff.
- **Mentoring and professional development for early career teachers:** Offer robust mentoring programs and classroom support for early career teachers. Providing ongoing professional development, especially in behaviour management and trauma-informed practices, will help new educators build confidence and effectiveness in their classrooms. Ensuring that all educators are trained in trauma-informed practices will help them understand and manage the impact of trauma on students' behaviour and learning. This will in turn help teachers create a more supportive and responsive classroom environment.
- **Consistency across the system and within schools:** Strive for consistency not only across the education system but also within individual schools. Establishing clear expectations and frameworks can help teachers work more effectively and foster a sense of stability for both educators and students.
- **Avoid constant changes to the system:** Recognise that educators are change weary and may be resistant to continuous shifts in policy or practice. Instead of chasing the latest educational trends, focus on sustaining effective practices that support teachers and students alike.
- **Invest in early childhood education:** More investment in early childhood education is crucial for teaching students the foundational skills needed for appropriate classroom behaviour. Early intervention can set the tone for future learning experiences and classroom dynamics.

How can we keep the existing workforce feeling energised and supported so they stay?

To keep the existing education workforce feeling energised and supported, leading to higher retention rates, several key strategies can be implemented:

- **Increase support and compensation:** Offering better pay and benefits for teachers is essential to show that their work is valued. Competitive compensation can help attract and retain talented educators who are passionate about their roles.
- **Value and recognise teachers:** Continuous recognition of teachers' efforts and achievements is vital. Celebrating their contributions, both big and small, fosters a positive work environment and encourages them to remain committed to their roles.



- **Provide additional assistance for special needs:** Increasing support for students with special and additional needs by employing more teacher aides can relieve some of the pressure on classroom teachers. This additional support allows teachers to focus on their primary responsibilities while ensuring that all students receive the attention they need. Target students undertaking teaching courses at university to work as teacher aides during the completion of their course. This provides an increased workforce and valuable in-class experience for the students.
- **Foster a positive work environment:** Creating a supportive and collaborative school culture where teachers feel appreciated and part of a team is crucial. Professional development opportunities, peer mentorship, and open lines of communication can contribute to a sense of belonging and motivation.
- **Professional development opportunities:** Continuous professional development opportunities allow educators to grow in their roles and stay updated on best practices. Investing in their growth shows that the institution cares about their career advancement and personal development.

Theme 5 - Accountability for improved outcomes

What helps teachers and school leaders implement initiatives so that the focus on improvement is maintained?

To help teachers and school leaders implement initiatives effectively while maintaining a focus on improvement, several key strategies should be considered:

- **Minimise distractions and focus on core responsibilities:** Allow teachers and school leaders to concentrate on teaching and supporting students by minimising unnecessary distractions and administrative burdens. Streamlining processes and eliminating "white noise" can help educators stay focused on their primary goals.
- **Involve teachers in policy initiatives:** Engage teachers and school staff in the development and implementation of policy initiatives. When educators feel included in decision-making processes, they are more likely to be invested in the outcomes and committed to executing the initiatives effectively.
- **Provide adequate resources and support:** Ensure that teachers have access to the necessary resources, tools, and support to implement initiatives successfully. This includes professional development, materials, and assistance that enable them to focus their efforts on improving student outcomes.
- **Encourage collaboration and communication:** Foster an environment of collaboration and open communication among staff. Regular check-ins, feedback sessions, and opportunities for sharing best practices can help maintain focus on improvement and keep everyone aligned on goals.
- **Set clear goals and expectations:** Clearly define the goals and expectations for initiatives to ensure that teachers understand their purpose and how they relate to student success. This clarity can help maintain focus and motivation among staff.



How do we ensure that policy initiatives are effectively implemented and that resources are used to improve learning outcomes?

To ensure that policy initiatives are effectively implemented and that resources are used to improve learning outcomes, several key approaches should be adopted:

- **Engagement with classroom experiences:** Policymakers need to step out from behind their desks and spend time in classrooms to understand the realities of teaching and learning firsthand. This direct engagement will help them grasp the challenges educators face and how their policies impact the classroom environment.
- **Streamline bureaucracy and improve understanding:** The current bureaucratic structure is seen as too top-heavy, often resulting in policies that do not resonate with classroom realities. Reducing unnecessary layers of bureaucracy and involving educators in the policy-making process can help create more relevant and effective initiatives.
- **Learn from other jurisdictions:** Look to other regions or countries with successful educational outcomes to identify practices that have led to improvements in student growth and attainment. Analysing what works elsewhere can provide valuable insights and inform more effective policy decisions.
- **Acknowledge and support educators:** Recognising the efforts of teachers and providing them with adequate support is essential. Educators need to feel valued and appreciated, and they should see that the department and the broader community genuinely care about their work and the challenges they face.
- **Focus on sustainable practices:** With the rapid changes in the education sector over the past decade, it is crucial to establish sustainable practices that do not overload teachers or require them to do more with fewer resources. Ensuring that policies are realistic and supportive of educators' needs will lead to better implementation and outcomes.

Report on Consultation

Development Assessment Panel (DAP) Framework Position Paper



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State Planning Officer
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1. Introduction

The Premier of Tasmania, the Honourable Jeremy Rockliff, announced the preparation of new legislation to introduce independent Development Assessment Panels (DAPs) to take over some of councils' decision-making functions on certain development applications.

The stated intent for introducing DAPs is 'to take the politics out of planning' by providing an alternate approval pathway for more complex or contentious development applications.

The initial scope of the project was broadened to consider whether there should be an enhanced role for the Minister to direct a council to initiate a planning scheme amendment under certain circumstances.

The State Planning Office (SPO) prepared a [Development Assessment Panel \(DAP\) Framework Position Paper](#) (the Position Paper) to explore these matters. The Position Paper included a draft DAP framework, based on statements made in the Premier's announcement and initial consultation with key stakeholders. Submissions were invited on both the matters raised in the Position Paper and on the draft framework. Copies of submissions can be viewed on the [Planning in Tasmania website](#)

The then Minister for Planning, the Hon Michael Ferguson, wrote to councils, State agencies, community groups and industry groups informing them that the SPO had published a Position Paper on its website and advised stakeholders of a 6 week consultation period between 19 October to 30 November 2023 in which to make comment.

There were 542 submissions received during the consultation period. The SPO would like to acknowledge the time and effort taken to make a submission and appreciates the level of work required to comment on complex planning process matters.

The Report on Consultation – DAP Framework Position Paper (Report on Consultation) summarises the issues raised in the submissions, provides a response to these issues and outlines a revised framework DAP framework and model for Ministerial direction to the planning authority to prepare a draft amendment to its LPS, the detail of which are included in Attachments 1 (A and B) and 2.

2. Glossary

The following acronyms and abbreviations are used in this report.

SPO	-	State Planning Office
Act	-	<i>Land Use Planning and Approvals Act 1993</i>
DAP	-	Development Assessment Panel
RAA	-	Reserve Activity Assessment
TPC	-	Tasmanian Planning Commission
Commission	-	Tasmanian Planning Commission
LPS	-	Local Provisions Schedule
Position Paper	-	Development Assessment Panel (DAP) Framework Position Paper
Interim Report	-	Future of Local Government Review Stage 2 Interim Report
TasCAT	-	Tasmanian Civil and Administrative Tribunal

3. Summary of issues raised in submissions

Of the 542 submissions received approximately 80 percent of them were generated from 2 pro-forma submission templates that were then forwarded to the SPO by individual submitters.

There was an overall sense of opposition to the introduction of a DAP framework in providing an alternative development assessment pathway.

The main reasons for this opposition, as expressed in the submissions, are as follows:

- Tasmania's planning system is performing well and there is no demonstrated need to introduce a new development assessment pathway;
- the DAP framework does not achieve its stated intent of deconflicting council's roles;
- fears that the Government will select panel members, thereby introducing bias and political interference in the planning process;
- taking planning decisions away from elected members undermines local democracy and reduces community participation in planning processes;

- the removal of merit appeal rights is unjust;
- further complicates an already complicated system.

Other issues raised in the submissions related to specific questions in the Position Paper or elements of the proposed DAP framework. These issues included:

- ambiguity around the detail of the proposed framework;
- further justification and explanation for the types of development applications that are suitable for DAP referral;
- various opinions on who, how, and when a development application may be suitable for referral to a DAP;
- that the timeframes are either unacceptably too long or are inadequately too short;

The Position Paper also sought feedback on providing a greater role for the Minister in directing council to prepare an amendment to its Local Provisions Schedule (LPS). The majority of submissions opposed this siting that it would undermine local democracy and threaten local strategic planning.

Attachment 3 of the Report on Consultation provides a more detailed overview of the issues raised with a corresponding response to each of those issues.

4. Discussion of issues raised in DAP submissions

This section of the Report on Consultation discusses the main issues raised in the submissions received on the Position Paper. Each subheading identifies a broad issue that is followed by a discussion of that issue and then an outcome, which, where appropriate, informs a modified assessment framework.

4.1 Justification for a DAP framework

Discussion

Section 3 of the Position Paper identified the issues that supported the need for an alternate development assessment pathway.

The Position Paper acknowledged that Tasmania's existing development assessment process is working well and provided statistics to demonstrate this efficiency.

One of the justifications for the proposed DAP framework comes from findings from the Future of Local Government Review Stage 2 Interim Report (the Interim Report) which found that Councillors were often conflicted in their role as a planning authority

under section 48 of the *Land Use Planning and Approvals Act 1993* (the Act) and representing the interest of the constituents by whom they were elected.

The terms of reference for the Future of Local Government Review were amended following the publication of the Interim Report by removing reference to councils' development assessment roles and referred this function to the (then) Minister for Planning for further consideration. As such, the Future of Local Government Review - Final Report, published in October 2023 provides no recommendations relating to councils' roles as a planning authority.

The DAP framework was presented as providing an option by which these conflicting roles can be resolved, allowing for Councillors to act in accordance with their perceptions of constituent preferences in cases where they are not required to act as a planning authority. The framework and Position Paper sought to tease out situations where this might be appropriate.

The Position Paper identified applications for social and affordable housing as being potentially suitable for DAP determination because the government had become aware of apparently compliant development being refused causing delays in the delivery of housing to help overcome the homelessness and cost of living crisis being experienced by many in the community. Addressing this issue is of primary concern to government and is another underlying reason for the introduction of the DAP framework.

Submissions made by social and affordable housing providers provided anecdotal evidence of bias towards some of their applications and detailed how this had impacted the delivery of housing. While some councils acknowledged that on occasion there was strong community opposition for social and affordable housing, most submitted that this does not interfere with its role as a planning authority in objectively determining these types of applications. There was general acceptance that applications for social and affordable housing should not be subjected to social prejudice, nor should it influence the decision of a development application, especially where the application clearly demonstrates compliance with the planning scheme.

Since the release of the Position Paper there is evidence of important social housing projects being refused by elected members against the advice of their planning experts.

The Position Paper sought submissions on what types of applications might benefit from being determined by a panel. There was some support for applications where council is the applicant and planning authority however, most councils contended that this situation is manageable.

It was also submitted that the value of a development was not a reliable indicator of how complex or contentious a development application might be. There were concerns around how a development application could be determined to be 'contentious' or 'subject to bias' and that this introduced more uncertainty and complexity into the planning system.

The referral of applications for critical infrastructure were not supported on the basis that the concept was too vague and there is already a process to deal with larger infrastructure projects. Infrastructure providers also commented that they did not necessarily want all 'critical' infrastructure applications going through the DAP process because it was longer.

Outcome

Many of the submissions acknowledged that the planning system is operating well and there is no need for the introduction of an alternative assessment pathway. While this is a good consultation outcome, advice from social and affordable housing providers and the development industry cannot be ignored. With the State Government's commitment to delivering 10,000 new social and affordable homes, many of which rely on federal funding requiring construction within specified timeframes which if not met may be lost, greater certainty within the planning system is needed.

The framework allows for development applications to be determined by a DAP if they are listed as a 'prescribed purpose'. The revised DAP framework provides for 'prescribed purposes' as being development applications for subdivision to facilitate social and affordable housing or for the construction of social and affordable housing, that is endorsed by the board of Homes Tas for determination by a DAP. It also provides pathways for applications over \$10M, or \$5M in a non-metropolitan municipality, to enter the DAP process by the choice of the applicant, or the planning authority with the consent of the applicant. Alternatively, an applicant or a planning authority may request the Minister to refer an application to a DAP where the Minister is satisfied that the 'DAP criteria'¹ is met and agrees that it is suitable for DAP determination.

There is also an option for a council to refer an application of over \$1M in value to a DAP for determination where it is the applicant and planning authority.

¹ Refer to section 6 of this Report

The revised framework provides various options for applications to be referred to a DAP for determination. This provides for greater flexibility in the planning system allowing it to respond to emerging issues as they arise.

4.2 Local democracy

Discussion

Many submissions expressed concern that the DAP framework undermines local democracy because it removes decision making functions from councils.

As explained in the Position Paper, council should not be acting democratically in the sense of responding to a majority view on a development application when it performs its development assessment and determination functions as a planning authority under the Act. Section 48 of the Act is very specific in its intent that 'where a planning scheme is in force, the planning authority must, within the ambit of its power, observe, and enforce the observance of, that planning scheme in respect of all use and development undertaken within the areas to which the planning scheme relates'.

Local democracy is implemented through the planning scheme being consistent with the expressed values and interests of council when they approve strategic land use plans and the local component of their planning scheme.

Expression of local democracy, or a vote of popularity, at the time of development appraisal does not provide certainty to the planning system and invites decisions to be made that are politically motivated which is the very issue that the DAP framework is seeking to address.

Outcome

The issues raised relating to the perceived loss of local democracy in determining development applications do not warrant modification to the proposed framework.

4.3 Membership of DAPs

Discussion

Many of the pro-forma generated submissions expressed concern that the DAP would be comprised of members that have been 'hand-picked' by government to generate a particular assessment outcome.

The Tasmanian planning system is characterised by not having Ministerial decisions on determining development applications. Planning decisions are either made by council acting as a planning authority with an appeal to an expert panel established by TasCAT or by a similarly constituted expert panel established by the Tasmanian Planning Commission (TPC).

The Position Paper explained that DAPs would be established by the TPC, which is an independent statutory body at arm's length from government.

The TPC is established under the *Tasmanian Planning Commission Act 1997* and consists of eight people. Each member is required to hold specific skills/experience in different areas – e.g. one member must possess planning experience, one member must possess expertise and management experience in resource conservation and so on. All members are appointed by the Governor on the nomination of the Minister. They hold office for a term not exceeding 5 years.

The TPC performs many functions in the Resource Management and Planning System, often drawing on a pool of delegates, many of which are members of the Tasmanian Civil Administrative Tribunal (TasCAT), to establish assessment panels.

The TPC already establishes development assessment panels under the Act. For example, a panel in relation to a Major Project consists of:

- a member of the TPC, or another person nominated by the TPC, who is to be the chairperson of the Panel; and
- a member of the TPC, or another person, nominated by the TPC; and
- a person who is not a member of the TPC and who, in the opinion of the TPC, has qualifications and experience that are relevant to the assessment of the project.

In relation to the last member of the panel, a person has appropriate qualifications and experience if the person has:

- qualifications or experience in land use planning, urban and regional development, commerce or industry; or
- practical knowledge of, and experience in, the provision of building or other infrastructure.

The TPC has a discretion to appoint two more panel members if the complexity of the Major Project warrants it.

It is not expected that the development applications proceeding to DAPs for assessment will be as complex as Major Projects.

A copy of the TPC's Code of Conduct for the Executive Commissioner, Commissioners, Delegates and Major Project Panels can be found [here](#).

By way of comparison, TasCAT is established under the *Tasmania Civil and Administrative Tribunal Act 2020* and consists of:

- the President;
- each Deputy President;

- senior members; and
- the ordinary members

All members are generally appointed by the Governor and hold office for five years. Supplementary members are appointed by the Minister and hold office for a term of not more than two years.

A person may only be appointed as a Deputy President if the person is an Australian lawyer of not less than 5 years' standing as an Australian legal practitioner. A person may only be appointed as a senior or ordinary member of TasCAT if the person

- is an Australian lawyer of not less than 5 years' standing as an Australian legal practitioner; or
- has extensive knowledge, expertise or experience relating to a type of matter in relation to which functions or powers may be performed or exercised by the Tribunal and holds a particular qualification or an authority to engage in a profession that relates to that type of matter.

There is no legislative requirement for the TasCAT members to be nominated by the Minister, but the Minister in effect nominates persons for appointment through the Cabinet and Executive Council processes. The Minister must consult the President of TasCAT before the appointment of a Deputy President, senior member and ordinary member is made, although it would be possible for an appointment to be made despite the wishes of the President.

The Resource and Planning stream determines matters under a number of Acts set out in clause 3 of Part 8 of Schedule 2 of the *Tasmania Civil and Administrative Tribunal Act 2020*. Clause 4 provides that, for such matters, the Tribunal is to be constituted by:

- a legally qualified member; or
- a legally qualified member who is assigned to the stream and not more than 4 other members, and is either a legally qualified member or has expertise in the subject matter to which the proceedings relate, which may include any of the following matters:
 - i) planning resource economics;
 - ii) science;
 - iii) engineering;
 - iv) medicine;
 - v) environmental management;
 - vi) industry process operations;
 - vii) building;

- viii) architecture;
- ix) building surveying;
- x) plumbing;
- xi) local government;
- xii) disability access to buildings;
- xiii) environmental and public health.

Typically, tribunals established by TasCAT have greater legal representation consistent with adversarial processes while the TPC is generally more inquisitorial in their procedures.

The DAP framework does not specify the makeup of the panel. The TPC has its own protocols for establishing assessment panels and can determine the number of panellists and their necessary experience on a case-by-case basis depending on the nature of the development application.

Outcome

The independence of the TPC is well known and highly regarded in the planning system. The framework retains the proposal of not having any role for the Minister in determining applications and utilises the systems and respected processes of the TPC. The only role for the Minister is to decide on whether an application should be referred to a DAP for determination. The TPC and its delegates uphold a high degree of integrity in the functions it performs. While the *Tasmanian Planning Commission Act 1997* gives some latitude on the TPC's procedures, the principle of natural justice must be followed at all times. Commissioners and delegates must not have any conflict of interest, or are required to register any perceived conflict of interest, and must bring an open and unprejudiced mind to all matters. Any decision made by the TPC is subject to judicial review which would reveal any bias or perception of bias.

The revised framework will be modified to make it clearer that the DAP is to be established by the TPC.

4.4 Rights of Appeal

Discussion

There was considerable opposition to the removal of rights of a merit appeal for decisions made by the DAP.

The purpose of appealing a planning authority's decision to TasCAT is to provide an independent review of the process, in a public forum and without political interference. The actual process becomes one where TasCAT assumes the role of the planning authority and assesses the application *de novo*.

The DAP framework proposed the removal of rights of appeal on the basis that the DAP framework provides for all those elements within the initial assessment process by being open to the public, giving parties the opportunity to test one another's evidence and appeal directly to the decision maker.

With the exception of the TPC acting as the planning authority under the *Major Infrastructure Development Approvals Act 1999*, no other decisions made by it are subject to a merit appeal.

Other States have alternate assessment pathways for certain types of development that are seen as important economic drivers that are determined by the Minister, panels appointed by the Minister or independent panels, and which have no, or very limited rights of appeal.

By way of comparison to social and affordable housing applications being assessed in other States, the following table describes the nature of the approval process and the status of any subsequent right to a merit appeal of the decision.

State	Approval process	Subject to merit appeal
QLD	Social and affordable housing can be declared a State Facilitated Development (SFD) by the Minister. A SFD application is processed by government's SFD team and determined by the Chief Executive.	Limited appeal rights
NSW	Social and affordable housing projects can be declared by the Minister or Independent Planning Commission as being State Significant Development (SSD) which is subject to an alternate approval pathway. The assessment of an SSD is coordinated by the Department of Planning, Housing and Infrastructure with the decision being made by a 'consent authority' which can be the council or the Independent Planning Commission where the council objects to the project or the project receives significant community opposition. NSW's own property development agencies have self-assessment pathways for social and affordable housing projects at certain scales.	No appeal rights if the decision is made by the Independent Planning Commission and it held a hearing prior to determination.

Vic	There are multiple pathways for obtaining housing approvals. Housing in accordance with 'Victoria's Big Housing Build' and carried out fully or partially by the State's Director of housing are subject to clause 52.2 of the Victorian Planning Provisions which removes the need for a planning permit and replaces it with a development approval process where the Minister determines the application.	No third-party appeal rights
SA	State Commission Assessment Panel (SCAP), established by the State Planning Commission, assess all Housing SA developments providing advice to the Minister who makes the final decision.	No appeal rights
WA	Community housing projects can opt-in for the application to be determined by an independent DAP. DAPs are established through regulations and are independent of government but hosted by a government department.	No third-party appeal rights

Response

The TPC, including decision making functions delegated to a DAP, are bound by the rules of natural justice which establish the right to procedural fairness. To achieve this, it requires that parties to an assessment:

- have an opportunity to be heard; and
- have an adequate opportunity to comment on all material or information on which the DAP may base their conclusions.

The process involves the exhibition of a draft assessment of the development application including, where the application is supported, a draft permit and conditions of approval. This allows all the parties to be aware of the decision makers' initial thinking and to challenge elements of that thinking. The publication of all representations following the exhibition period provides parties with the opportunity to scrutinise each other's submissions and test them in a public hearing and before the decision makers. This is a similar process to the Major Projects and Project of State Significance approval pathways which similarly do not have the rights to a merit appeal.

Allowing a right of appeal when the framework already has the safeguards in place to provide a legally sound process that obeys the rules of natural justice in the initial decision, introduces unnecessary time delays and costs to the community.

It is also considered inappropriate for the State's peak planning body to be subject to a merit appeal on planning grounds. As discussed, any decision of a DAP will be subject to judicial review.

4.5 Details of DAP framework

4.5.1 General issues

Discussion

The Position Paper provided a draft DAP framework to act as a catalyst for discussion and further thought on what type of development applications might be suitable for referral, how that referral would take place and some timeframes around those processes.

Many submissions commented that the proposed framework lacked the detail required to fully understand how it would work and therefore what the implications would be.

The draft framework proposed two options for development application referral, a mandatory referral process for 'prescribed purposes' and a discretionary referral process that was subject to complying with a DAP criteria.

General concern was that the proposed framework was unnecessarily complicated in terms of determining the types of applications to be referred and the process for referral and assessment.

Outcome

It is acknowledged that parts of the proposed framework would introduce additional processes into the planning system. However, that complexity is born by those parties that choose that pathway, or in the case of a request being made to the Minister, the pathway provides for the other party to have a right of reply and make a submission why referral to a DAP is not appropriate. To address concern regarding the planning authority having to determine if an application met the DAP criteria, the revised framework requires the Minister to determine if an application meets the DAP criteria.

For social and affordable housing applications and other eligible applications that enter the DAP process at the beginning of the assessment, the revised process will be simpler as it provides a single approach with a more streamlined process with the DAP coordinating the entire assessment process.

For those eligible applications that enter the DAP process part way through an assessment, the DAP determines how to proceed to complete the process. There are no statutory timeframes associated with that pathway.

4.5.2 Duplication of assessment

Discussion

The proposed DAP framework required the planning authority to undertake the initial assessment of the application. The Position Paper justified this on the basis that it is the same process for assessments under section 40T of the Act and that it provides for the input of local knowledge into the assessment process.

Planning authorities did not support having to undertake an assessment of the application and prepare a recommendation report to the DAP. In their view this simply caused double handling of the assessment and compounded existing issues regarding resourcing and access to technical expertise.

Outcome

Council's concerns regarding the proposed duplication of assessment by the planning authority and DAP are acknowledged. The framework has been revised to allow social and affordable housing proposals endorsed by Homes Tasmania and applications over \$10M, or \$5M in a non-metropolitan area where the applicant, or the planning authority with the consent of the applicant, agree to a DAP assessment and lodge the application directly with the TPC who will coordinate the assessment process.

Similarly, an applicant or planning authority can request the Minister to refer their application to a DAP for determination subject to meeting the DAP criteria². This request can occur prior to lodgement with the planning authority (in a request from the applicant) or anytime during the assessment process. Where a request is granted prior to lodging the application with the planning authority there is no duplication of process.

Where an application is referred to a DAP mid-assessment process there will be inevitable duplication of process. In this case the revised framework proposes that the DAP is to provide parties with an outline of the assessment processes it needs to undertake to complete the assessment and specify timeframes for these tasks.

Where an application is lodged with the DAP, it will refer the application to planning authorities who will provide advice, and any conditions, on the impact of the proposal on council owned and managed infrastructure and any other local matters they may wish to raise.

² Refer to section 6 of this Report

The revised framework has limited the duplication of assessment as much as possible. And while it requires the planning authority to be engaged in referral and hearing processes, these requirements already exist in terms of defending decisions made by the planning authority that are subsequently appealed.

See section 4.7 of this report for discussion on fees.

4.5.3 Further information requests

Discussion

The Position Paper identified requests for further information as being a source of frustration in delaying the approval process. Opinions were either that it was the fault of the applicant in submitting a substandard application or that Council's requests were unreasonable.

The proposed framework provided the applicant with the ability to refer the request for additional information to the DAP to determine if it was within the realms of what could be requested under the planning scheme and in accordance with section 54 of the Act. While this was seen by some as a reasonable solution, there were concerns about the added time and complexity caused by referring additional information requests between the applicant, DAP and planning authority.

Outcome

The assessment of the application under the revised framework will be managed by the TPC who will oversee any request for further information. The planning authority can request further information regarding the impact of the use and development on council's infrastructure when it has been referred the application by the DAP. The DAP will coordinate the request for further information.

The framework allows for the applicant to query or seek clarification on the DAP's request for further information.

4.5.4 Exhibition of draft assessment report

Discussion

As discussed in the Position Paper, the proposed framework adopted a similar approach to the process under section 40T of the Act which provides for a draft assessment report to be published for comment. The reason for adopting this approach was that it is an existing process, and that it provided the public with an initial assessment that they could subsequently scrutinise and provide comment on in their representations. By having an early understanding of the assessment issues, all parties are more informed when it comes to public hearings and discussing the issues with the decision makers.

Submissions from councils expressed concern that the requirement to undertake an assessment of the development application prior to it undergoing public exhibition did not allow them to have the benefit of public input prior to the assessment.

Outcome

The TPC will undertake the preliminary assessment and exhibit the draft report, including any proposed permit if recommended for approval. This gives the public the opportunity to comment on the draft assessment and helps all parties to understand the initial thoughts of the decision maker and the issues that are likely to be raised at the hearing.

It also exposes all parties to any permit conditions allowing any issues to be discussed at the hearing.

4.5.5 Timeframes and hearings

Discussion

There was support for the hearings to be held locally, however, there were concerns that the time provided to prepare for hearings was insufficient. Observations on general assessment timeframes ranged from it being too long or that the time allocated to undertake certain assessment tasks was not adequate.

Outcome

The allocated timeframes seek to balance the expectations of the development industry with what is considered reasonable. The timeframes for social and affordable housing are tighter in an effort to expeditiously address the housing crisis. There are certain discrete tasks, such as public exhibition, that align with existing statutory timeframes.

The revised framework for social and affordable housing proposes a maximum assessment timeframe of 98 days, which is a week shorter than the original framework.

Early lodgement or early referrals to a DAP propose a maximum assessment timeframe of 119 days. There is no statutory timeframe specified for applications that are referred by the Minister part way through the assessment process. The framework provides for the DAP to determine the remaining assessment processes that it needs to undertake and inform the parties of those processes and the proposed timeframe to undertake those tasks.

To allow more time to prepare for hearings, the revised framework is proposing to require notification of the scheduling of a hearing date at the time the DAP exhibits its draft assessment. This puts people on notice of the hearing, which must be not less

than 10 days after the close of exhibition, allowing representors to view each other's representations and prepare for the hearing.

The proposal to hold hearings locally is retained.

4.6 Role of planning authorities

Discussion

Under the framework proposed in the Position Paper, the planning authority received the development application, determined its validity, was responsible for referring it to other entities, coordinated the request for further information, prepare a draft assessment report, exhibit the application and comment on the merit of the representations to the DAP. Councils did not support having to undertake these functions when they were not the final decision maker and expressed concern regarding the additional administrative burden.

The submissions supported that the planning authority must have a role in the assessment process to ensure local knowledge is transferred and development engineering conditions are in place to manage any impact on council's assets.

The framework proposed that council would retain post approval functions including issuing and enforcing the permit and determining any minor amendments to the permit. The post approval functions of council were generally supported.

Outcomes

As already discussed, the DAP will manage the assessment process and will refer the application to the planning authority for advice, thereby removing many of the administrative functions of council but still requiring its input on the assessment.

Post approval functions of council will be retained.

4.7 Fees and Resourcing

Discussion

Concerns were raised that the introduction of the DAP framework will distract planners from more important planning reform outcomes.

There was also concern that councils do not have the resources to undertake additional assessment tasks and attend hearings.

Many of the submissions queried how fees were going to be calculated and administered and, if the assessment was being undertaken by the planning authority and the DAP, who was eligible to collect application fees.

Outcome

While there are important planning reforms underway, there is still a need to undertake regular maintenance on the planning system and address issues as they arise. The Government considers that an alternate pathway providing an efficient and independent assessment of certain development applications, especially given the importance of delivering social and affordable housing projects, is a required reform.

Under the current settings councils would ordinarily be required to assess all these development applications. It would also have to allocate additional resources if the decision was appealed and attendance at a TasCAT hearing was required. The revised framework does remove some of the administration of the assessment away from council by requiring the DAP to coordinate the assessment.

The revised framework provides that fees may be prescribed in the regulations. The SPO will consult further on matter of fees for the assessment of applications by DAPs and the work undertaken by referral entities.

5. Ministerial role to direct an LPS amendment

Discussion

As part of seeking feedback on a legislative framework for DAPs, the Position Paper also explored whether it is appropriate for the Minister, under certain circumstances, to have the power to direct a council to prepare a planning scheme amendment.

The Position Paper proposed an additional Ministerial direction based on the outcomes of a request by an applicant under section 40B of the Act. Section 40B allows an applicant to request the Commission to review the planning authority's decision to refuse an application to amend the planning scheme. The Commission can direct the planning authority to reconsider its decision but cannot direct the outcome of that process. Where that has occurred, and the planning authority still does not agree to prepare the draft amendment, the Position Paper proposed that the Minister may intervene, subject to being satisfied that the LPS criteria is met.

There was considerable opposition to any additional role by the Minister to direct a planning authority to prepare a planning scheme amendment. However, what seemed to be overlooked in the submissions was that section 40C of the Act already allows for the Minister to direct a planning authority to prepare an amendment under any of the following circumstances:

- To ensure that the LPS will comply with the SPPs;
- To ensure that the LPS is, as far as practicable, consistent with the RLUS;
- To ensure the satisfactory application of a State Policy;

- To ensure the LPS is in accordance with a direction of the Minister under this Act;
- On the advice of the Commission, any other purpose the Minister thinks fit.

It is unclear if the opposition to an additional Ministerial direction was caused by a misunderstanding that such a direction would result in the approval of the amendment rather than initiating the commencement of the TPC's assessment of the draft amendment.

The basis of the opposition was that it was inappropriate for the Minister to override the decision of a council and interfere with how it intends to implement its local land use strategy.

Outcomes

The proposal was simply to allow an amendment to be placed on exhibition and be considered by the public and subsequent assessment by the independent TPC. Currently, there is no process to intervene in the preparation of a draft planning scheme amendment where an error in judgment has been uncovered by the TPC in a review of the planning authority's determination to refuse to prepare a draft amendment to its LPS. The proposed process only allows Ministerial intervention when the TPC has reviewed Council's decision and directed it to reconsider the request to amend the LPS.

The additional Ministerial direction provides a pathway for a suitable application to amend a planning scheme to be reviewed and assessed that otherwise would not proceed to the TPC. This provides an opportunity for the applicant to seek recourse which is currently not available under the existing process. It does not allow for the Minister to approve the application to amend the planning scheme but rather allows the commencement of the TPC's assessment process.

The applicant may request the Minister to review the planning authority's decision. Where this occurs the Minister it to consider the planning authority's original refusal and the TPC's direction to it to reconsider the preparation of a draft amendment. The Minister also invites the planning authority to provide reasons as to why the Minister should not direct it to prepare a draft amendment. This provides council with the opportunity to demonstrate how approving a draft amendment might interfere with its local land use strategy as raised in submissions. If the Minister directs a planning authority to prepare a draft amendment, the Minister must be satisfied that it meets the LPS criteria.

As already stated, the additional Ministerial direction is only for the planning authority to initiate a draft amendment, allowing it to go on public exhibition and be assessed by the TPC.

For further detail regarding the proposed additional role for the Minister to direct a planning authority to prepare an LPS amendment refer to Attachment 2.

6. Revised DAP framework

The framework has been revised to address many of the issues raised in the submissions. One of these issues was associated with the complexities associated with referring DAP applications to the Environmental Protection Authority (EPA) in accordance with the *Environmental Management and Pollution Control Act 1994* (EMPCA). As a result of these complexities, the revised DAP framework excludes applications that are subject to EPA referral.

Applications that are subject to the *Historic Cultural Heritage Act 1995* are eligible for determination by a DAP. The DAP will refer relevant applications to the Heritage Council seeking its advice.

The revised framework proposes a number of entry points into the DAP process. To be eligible for DAP referral the application must be for a permit in accordance with section 57 of the Act, that is not subject to EPA referral under EMPCA, and is for 'prescribed purposes' (as shown in Attachments 1A and 1B) and described as follows:

Prescribed Purpose

- a) Applications including social and affordable housing declared suitable for DAP determination by the Board of Homes Tasmania;
- b) Subdivision, to accommodate social and affordable housing, declared suitable for DAP determination by the Board of Homes Tasmania;
- c) Where an applicant, or the planning authority with the consent of the applicant, refers an application to a DAP for determination, provided the application is over \$10M or \$5M in a non-metropolitan area, or \$1M where council is the applicant and planning authority;
- d) On request to the Minister, by either the applicant or the planning authority, and the Minister is of the opinion that the application satisfies the DAP criteria and is suitable for DAP determination. The **DAP criteria** is as follows:

- i. the application is considered to be of a technical or complex nature in a municipality where the planning authority does not have the adequate skills or resources to undertake the assessment;
- ii. the application is expected to be, or is, highly contentious, controversial or subject to influence by matters outside the relevant planning considerations;
- iii. the application is considered to have significant social or economic importance to the local or broader area;
- iv. where the planning authority has or is likely to have a conflict of interest or there is perceived bias on the part of the planning authority.

The DAP framework also includes an option to prescribe additional purposes and additional value thresholds at a later date.

An application for subdivision to facilitate social and affordable housing or for the development of social and affordable housing, that is declared by the board of Homes Tasmania to be determined by a DAP, are eligible to be assessed through the DAP process. In this case, applications are made directly to the DAP and follow a statutory timeframe.

Applications for prescribed purposes c) and d) can enter the DAP process at the beginning of the assessment or part way through the assessment. Where an application is either lodged with, or referred to, a DAP at the commencement of the assessment the DAP coordinates the process and it follows a similar pathway to prescribed purpose a) albeit additional time is given to complete assessment tasks. The justification for allowing more time for these applications is that their scope is broader than just residential development.

Applications that are lodged directly with the TPC undergo a validity check and are then referred to the relevant regulated entities (eg Tas Water) and planning authority, seeking advice on matters that are relevant primarily to how the development will impact their infrastructure and any condition they may wish to impose on a subsequent permit.

The TPC establishes a DAP, in accordance with its usual delegation powers, who coordinates any requests for further information. Similar to existing processes, the statutory clock stops until the applicant has provided the additional information to the satisfaction of the DAP. Once the DAP has the relevant information it undertakes a preliminary assessment and prepares a draft report, and if recommending approval, a draft permit. The draft report, application and advice from the planning authority

and referral entities are exhibited for 14 days, consistent with existing statutory exhibition requirements for applications under section 57 of the Act. The exhibition notice also includes a hearing date which is to be scheduled not less than 10 days from the close of exhibition. The DAP receives representations and publishes them on the TPC's website.

Following the exhibition period, the DAP holds hearings and invites all parties to attend to give evidence and be heard. The DAP then considers all the matters and makes a decision on the application and gives notice of its decision. If the decision is for approval, the DAP directs the planning authority to issue a permit in accordance with its decision.

Because the process involves a public hearing involving all parties, the decision of the DAP is not subject to a merit appeal by TasCAT, however, it is subject to judicial review.

The maximum statutory timeframe for the DAP framework is 98 days for social and affordable housing applications and 119 days for other applications that are referred to the DAP prior to the planning authority commencing its assessment.

Applications that are midway through the assessment process will have their timeframes determined by the DAP based on what assessment process have occurred.

All pathways provide options for extensions of time based on agreement between the DAP and applicant or, where an agreement cannot be reached, approval by the Minister.

If the DAP approves the application, it directs the planning authority to issue a permit. The planning authority is responsible for the enforcement of the permit. A planning authority can also receive, assess and determine an application for a minor amendment under the existing provisions of section 56 of the Act.

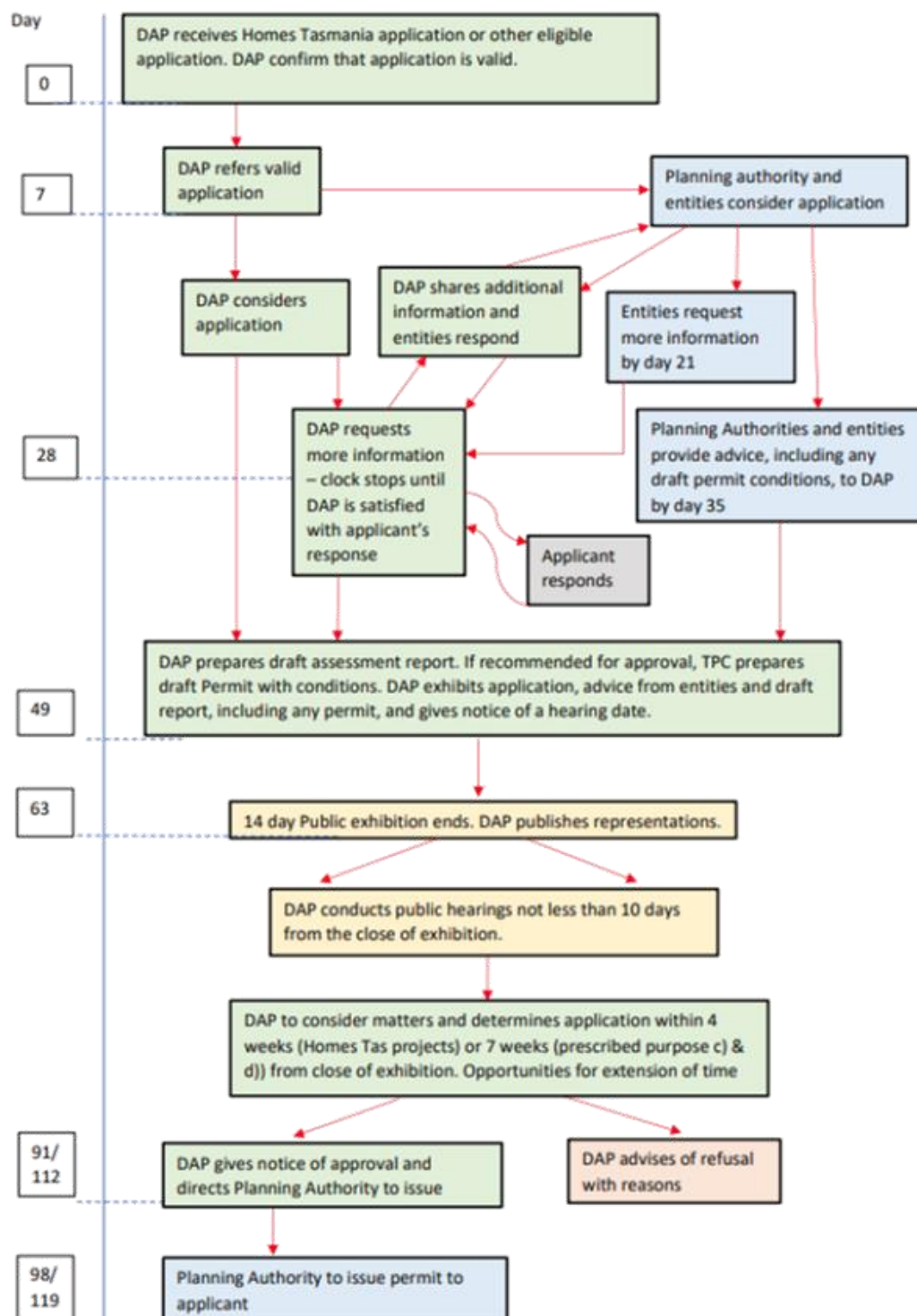
An overview of the proposed DAP framework is provided in a flow diagram below and tables with more detail are provided in Attachments 1A and 1B.

7. Next Steps

The revised DAP framework has informed the drafting of a Bill to amend the Act. A copy of the draft Bill will be made available on the SPO website at [Have your say | Planning in Tasmania \(stateplanning.tas.gov.au\)](https://www.stateplanning.tas.gov.au). The draft Bill will undergo a 5 week consultation period with submissions invited through the SPO's 'Have your say' platform.

It is anticipated that a draft Bill will be tabled in Parliament towards the end of the year.

Proposed DAP Framework flowchart



Attachment 1A - Revised Development Assessment Panel Framework

Applications for Social and Affordable Housing – Prescribe Purposes a) and b)

Ref	Stage of assessment process	Responsible person/ authority	Stat Clock (max time)	Proposed Framework	Comments
1	Pre-lodgement discussions between applicant and Council	Planning Authority and applicant		Informal process, no need to legislate. Pre-lodgement discussion with council still encouraged to identify issues early in the process.	Existing informal processes undertaken on an as needs basis. Pre-lodgement discussions with Council to identify issues eg, stormwater, and discuss that the application may be for a prescribed purpose and subject to determination by a DAP
2	Determining Social and affordable housing applications			Informal process, no need to legislate. Homes Tasmania will determine which applications for social and affordable housing will be subject to DAP determination. Social and affordable housing providers may request Homes Tasmania to consider their applications to be suitable for DAP determination. Applications for Social and affordable housing must be accompanied by notification from Homes Tasmania determining that it is eligible for DAP determination.	Administrative function carried out between social and affordable housing providers and Homes Tasmania
3	Lodge Development Application with	Applicant	0	A development application suitable for DAP referral means an application for a permit in	

Tasmanian Planning Commission			<p>accordance with section 57 of the Act, that is not subject to EPA referral under EMPCA, and is for a prescribed purpose.</p> <p>Prescribed purpose:</p> <p>a) Social housing³ or affordable housing⁴ declared as suitable for DAP determination by the Board of Homes Tasmania; or</p> <p>b) subdivision, to accommodate social and affordable housing, declared as suitable for DAP determination by the Board of Homes Tasmania;</p> <p>c) where an applicant, or the planning authority with the consent of the applicant, refers an application to a DAP for determination, provided the application is valued over:</p> <p>i. \$10M;</p> <p>ii. \$5M in a non-metropolitan area; or</p> <p>iii. \$1M if the Council is the planning authority and applicant</p> <p>d) an application that, upon request to the Minister by the planning authority</p>	<p>This table provides the DAP framework for Prescribed Purposes a) and b).</p> <p>Attachment 1B outlines the DAP framework for Prescribed Purposes c), d) and e)</p> <p>Homes Tasmania are to determine which of its applications are to be assessed by a DAP.</p> <p>The Commission will establish a DAP based on its usual delegation practices.</p> <p>Any other prescribed purpose added later would be subject to consultation and parliamentary process.</p>
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³ "Social Housing – means both housing provided by the government (public housing) and non-government organisations (community housing) with below-market rent prices."

⁴ "Affordable Housing – means housing for purchase and rental, including social housing, that is appropriate for the needs of very low-, low- and moderate-income households. This is generally understood to mean housing that costs no more than 30 per cent of a household's gross income."

			<p>or applicant, is deemed to satisfy the DAP criteria and is declared as suitable for DAP determination by the Minister;</p> <p>e) As prescribed (potential for others to be set out in Regulation later)</p> <p>The application is to include details, if any, of consultation with persons who may have an interest and pre-lodgement discussions with Council and any endorsement by Homes Tasmania that it is for a prescribed purpose.</p>	
4	Determination of valid application and confirmation that the application is for a prescribed purpose	Executive Commissioner/DAP	<p>Executive Commissioner/DAP receives an application and confirms that the application is for a prescribed purpose.</p> <p>The DAP reviews the application and determines if it is valid in accordance with the existing provisions of the Act.</p> <p>If not valid, the DAP seeks appropriate action from the applicant.</p> <p>This must be done within 7 days of receiving application.</p>	<p>If a DAP has not been established the Executive Commissioner can carry out the administrative functions of the DAP.</p> <p>DAP to determine that an application for a prescribed purpose is valid in accordance with the existing process under the Act.</p> <p>Potentially use S51(1AA) form to demonstrate validity, including payment of fees, and that the application is for a prescribed purpose.</p>
5	Referral to planning authority and other entities	DAP	<p>Start Clock 0-7</p> <p>Statutory assessment clock commences once the DAP is satisfied that the application is valid.</p> <p>When the DAP determines that the application is valid, it must, within 7 days, refer it to the relevant planning authority and other entities, such as TasWater or regulated entities under the <i>Gas Industry Act 2019</i>.</p>	Planning authorities currently refer applications to regulated entities.

6	Request for further information (RFI)	Planning authority, referral entities and DAP	7-21	<p>Within 14 days of being referred an application from the DAP, the planning authority and referral entities are to provide the DAP with any RFI or advise the DAP that no additional information is required.</p> <p>The Planning Authority can only request further information from the applicant regarding:</p> <ul style="list-style-type: none"> determining the impact of the use and development on council infrastructure to inform draft permit conditions that address the impacts of the use and development on council infrastructure; any matters that council would otherwise consider under the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i>, such as the provision of public open space, if the application is for subdivision. 	
7	DAP reviews RFI and notifies applicant of RFI	DAP	21-28	<p>DAP to review and consolidate any RFI from the planning authority and referral entities and include additional matters as the DAP may require.</p> <p>The DAP can also request additional information that relates to the assessment of the application from the planning authority or regulated entities.</p> <p>The DAP is to give notice to the applicant of any request for information within 28 days of determining the application is valid.</p>	

				<p>The applicant can query the DAP on its request for further information within 7 days of being notified of the request for further information.</p> <p>Statutory Clock stops once the applicant is notified of the request for further information.</p>	
8	Applicant provides DAP with a response to the RFI	Applicant	Stop clock	<p>Applicant to provide the DAP with further information as requested.</p> <p>DAP circulates the additional information received from the applicant to the planning authority and referral entities.</p> <p>Referral entities, planning authority and DAP have 7 days to review the additional information. Within that 7 days the planning authority and referral entities either determine that they are satisfied with the information provided and give notice to the DAP to that effect or provide a list of outstanding matters to the DAP.</p> <p>If the referral entities, planning authority and DAP are all satisfied that the applicant provided the information requested, the statutory clock recommences.</p> <p>If the DAP has outstanding matters, or receives notice of outstanding matters from the planning authority or referral entities, the DAP has 7 days to review and consolidate the list of outstanding matters and, if deemed necessary for the assessment of the application, notifies the applicant requesting that there are outstanding matters to be addressed.</p>	

			<p>The applicant can query the DAP on its outstanding matters notice.</p> <p>If there are still outstanding matters, the clock remains stopped.</p>	
9	Planning authority and referral entities provide advice on application to the DAP	Planning authority and referral entities	<p>35</p> <p>Within 28 days (excluding clock stop days) of being referred the application, the planning authority and referral entities provide their advice on the application to the DAP.</p> <p>The advice from the planning authority must (where relevant) include;</p> <ul style="list-style-type: none"> - An infrastructure impact statement outlining the impact of the application on Council's infrastructure; - Any draft permit conditions it would like to impose to address the impact of the use and development on council infrastructure; - any matters that council would otherwise consider under the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i>, such as the provision of public open space, if the application is for subdivision. <p>The advice from the planning authority may include:</p> <ul style="list-style-type: none"> - A statement of merit in relation to the planning scheme requirements; 	<p>This approach requires the planning authority to address infrastructure and open space issues and allows them the opportunity to bring any other matter to the DAP's attention.</p> <p>The nature of advice from other referral entities are covered through their own Acts.</p>

			– Any other matter that the planning authority would like to bring to the attention of the Commission.	
10	DAP assesses application and prepares a draft assessment report and recommendation	DAP	35-49 Within 14 days of receiving the advice from the planning authority and referral entities, the DAP undertakes the initial assessment and prepares a draft assessment report.	The Commission can clarify matters, if needed, with the planning authority and referral entities on an informal basis.
11	exhibition and calls for reps	DAP	49 - 63 DAP exhibits application, additional information, referral advice and its draft assessment report and draft permit (if recommended for approval) for 14 days during which time representations are invited. DAP to notify adjoining property owners, planning authority and referral entities at the commencement of the 14 day exhibition period.	While the planning authority and referral entities are already a party to the proceedings, they may wish to make a representation in response to the Commission's draft report and any draft permit. Elected members can also make a representation outside their role as a member of the planning authority.
12	Exhibition to include notification of hearing	DAP	49-63 The notification must include setting a date for a hearing not less than 10 days from the close of exhibition.	Notification of hearing is done at exhibition to put all parties on notice of when and where the hearing will be held.
13	DAP publishes Representations and may dispense with a hearing	DAP	63-66 DAP publishes representations on the Commission's website. The DAP may dispense with holding a hearing if: a. No representations where received; or b. Representations received supported the draft recommendations; and	If hearing is dispensed, and the DAP directs the planning authority to issue a permit in accordance with the draft assessment report, the permit is issued within 7 days (or by day 70 on the statutory clock) in accordance with row 16.

			no parties to the proceedings, including the applicant, wish to attend a hearing. DAP to give notice to all parties of their decision to dispense with a hearing. If hearing is dispensed, the DAP may direct the planning authority to issue a permit in accordance with draft assessment report ie draft report can become decision.	
14	Review reps and hearing preparation	All parties	66-73 Minimum time between publication of representations and hearing is 7 days. Parties prepare for hearings. The DAP can request an extension of 21 days for complex matters.	The requirement for an extension of time is likely to become apparent after exhibition. Request for extension of time is to the Minister.
15	DAP to hold hearings, make determination and give notice of decision	All parties /DAP	73-91 (112) Hearings encouraged to be held locally. Following the hearings, the DAP considers all the information presented and makes a decision on the development application. The DAP is to give notice of its decision to the planning authority, regulated entities, applicant and representatives within 4 weeks (or 7 weeks if extension of time is granted) of the completion of the exhibition period.	
16	Issuing of Permit	DAP/ Planning Authority	98 (119) If the decision of the DAP is to grant a permit, the DAP must, in its notice to the planning authority above, direct it to issue a permit in accordance with its decision within 7 days of receiving the notice from the DAP. The permit becomes effective the day it is issued by the planning authority.	

				If the permit is for a subdivision, the DAP also approves it in accordance with the provisions of <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> .	
17	Withdrawal of application	Applicant		<p>The applicant may withdraw its application at any stage of the assessment process by notification to the DAP.</p> <p>The DAP must notify referral entities and the planning authority that the applicant has withdrawn the application.</p> <p>If the application has been exhibited, the DAP must also notify any representatives.</p>	
18	Extension of time	Applicant and DAP		<p>At any time after the close of exhibition, the applicant and DAP, may agree to an extension of time to determine the application.</p> <p>If the applicant does not agree to an extension of time, the DAP may request an extension of time from the Minister.</p>	
19	Commission to take over Council's functions under LGBMP Act	Commission		The Commission to take on particular functions of Council under the <i>Local Government Building and Miscellaneous Provisions Act 1993</i> that involve an application for subdivision.	
20	Enforcement	Planning Authority		The planning authority is responsible for enforcing the permit.	This is the same process for permits issued by TASCAT.

21	Appeal rights	All parties		There is no right of appeal on the grounds of planning merit as the decision has been made by the DAP having been through a public process with all parties participating and being afforded natural justice.	While DAP decisions are not subject to a merit appeal, they are subject to judicial review by virtue of the <i>Judicial Review Act 1997</i> .
22	Minor amendment to permits	Planning Authority		A planning authority can receive a request for a minor amendment to a permit involving an application that has been determined by the DAP without seeking the permission of the DAP.	Minor amendments to permits are assessed by the planning authority against the existing provisions of section 56 of the Act.
23	Fees for DAP assessment and referral advice	Applicant		The fee for the DAP and planning authority will be prescribed in regulations. The Commission may refund or waive some or all of the fees payable to it.	Further consultation will occur to determine an appropriate fee structure for the DAP and planning authority to charge for their respective involvement in the assessment.

Attachment 1B - Proposed Development Assessment Panel Framework – Prescribed Purpose c) and d).

Applications referred to DAP by applicant, or planning authority with the consent of the applicant, subject to meeting value thresholds or where an applicant or the planning authority request that the Minister refers the application to a DAP for determination.

Ref	Stage of assessment process	Responsible person/ authority	Proposed Framework	Comments
1	Pre-lodgement discussions between applicant and planning authority	Planning Authority and applicant	Informal process, no need to legislate.	Existing informal processes undertaken on an as needs basis. May discuss the application being determined by a DAP and whether the applicant and/or planning authority would support DAP determination.
2	Applications suitable for DAP referral		<p>A development application suitable for DAP referral means an application for a permit in accordance with section 57 of the Act, that is not subject to EPA referral under EMPCA, and is for a prescribed purpose.</p> <p>Prescribed purpose:</p>	<p>Prescribed purpose a) and b) follow the social and affordable housing DAP determination framework (see ATTACHMENT 1A).</p> <p>The following DAP framework only applies to prescribed purpose c) and d).</p> <p>Any other prescribed purpose added later would be subject to consultation and parliamentary process.</p>

			<p>f) Social housing⁵ or affordable housing⁶ declared as suitable for DAP determination by the Board of Homes Tasmania; or</p> <p>g) subdivision, to accommodate social and affordable housing, declared as suitable for DAP determination by the Board of Homes Tasmania;</p> <p>h) where an applicant, or the planning authority with the consent of the applicant, refers an application to a DAP for determination, provided the application is valued over:</p> <p>iv. \$10M;</p> <p>v. \$5M in a non-metropolitan area; or</p> <p>vi. \$1M if Council is the planning authority and applicant</p> <p>i) an application that, upon request to the Minister by either the planning authority or applicant, is deemed to satisfy the DAP criteria and is declared as suitable for DAP determination by the Minister;</p> <p>j) <i>As prescribed (potential for others to be set out in Regulation later)</i></p> <p>The application is to include details, if any, of consultation with persons who may have an interest and pre-lodgement</p>	
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⁵ "Social Housing –means both housing provided by the government (public housing) and non-government organisations (community housing) with below-market rent prices."

⁶ "Affordable Housing – means housing for purchase and rental, including social housing, that is appropriate for the needs of very low-, low- and moderate-income households. This is generally understood to mean housing that costs no more than 30 per cent of a household's gross income."

			discussions with Council and any endorsement by Homes Tasmania that it is for a prescribed purpose.	
3	DAP criteria		<p>In accordance with prescribed purpose d), DAP criteria means where the Minister considers the application would benefit from being determined by a DAP for any one or more of the following reasons:</p> <ul style="list-style-type: none"> the application is considered to be of a technical or complex nature in a municipality where the planning authority does not have the adequate skills or resources to undertake the assessment; the application is expected to be, or is, highly contentious, controversial or subject to influence by matters outside the relevant planning considerations; the application is considered to have significant social or economic importance to the local or broader area; Where the planning authority has or is likely to have a conflict of interest or there is perceived bias on the part of the planning authority; or As prescribed. 	
4	<p>Prescribed Purpose c)</p> <p>An applicant, or the planning authority with the consent of the applicant, may lodge an application to a DAP for determination.</p>	Applicant, or planning authority with the consent of the applicant	<p>Prescribed Purpose c)</p> <p>Prior to an application being lodged with a planning authority, or at any time during the assessment of a development application, the applicant, or the planning authority with the consent of the applicant, may lodge an application that satisfies Prescribed Purpose c) with the DAP for determination.</p> <p>An application lodged with a DAP for determination in accordance with Prescribed Purpose c) must include:</p>	<p>Pathway to provide for a Prescribed Purpose c) application to be lodged with the DAP or to opt into the DAP process at any time during the assessment.</p>

	Information to accompany application		<ul style="list-style-type: none"> - A copy of the development application and where applicable, requests for further information and responses to the requests for further information, referral advice and representations; - A statement whether the application is for initial lodgement with the DAP or if the assessment of the application has commenced by the planning authority; - If the application has been referred to a DAP after the commencement of the assessment, advice from the parties that details the assessment process to date. - any correspondence between the applicant and the planning authority; - A copy of the agreement between the planning authority and applicant to refer the application to the DAP; - A statement of the value of the application to comply with prescribed purpose c); 	
5	<p>Prescribed purpose d)</p> <p>An applicant or planning authority may request the Minister to refer an application to a DAP for determination. Information to accompany request</p>	Applicant or planning authority	<p>Prescribed purpose d)</p> <p>Prior to an application being lodged with a Planning authority, or at any time during the assessment of a development application, the applicant may request that the Minister refers the development application to a DAP for determination subject to demonstrating compliance with the DAP criteria.</p> <p>Once the Planning authority has received an application, or at anytime during the planning authority's assessment of the application, the planning authority may request that the Minister refers the development application to a DAP for determination subject to demonstrating compliance with the DAP criteria.</p>	<p>Pathway to provide for the applicant or planning authority to request the Minister for a Prescribed Purpose d) application to be referred to a DAP for determination.</p> <p>A request by an applicant under prescribed purpose d) can occur prior to the application being lodged with the planning authority or anytime during the assessment.</p>

			<p>Any request by the applicant or planning authority for the Minister to refer an application to a DAP for determination must include, where possible:</p> <ul style="list-style-type: none"> - A copy of the development application and where applicable, responses to requests for further information, referral advice and representations; - A statement whether the application is for initial lodgement with the DAP or if the application commenced being assessed by the planning authority; - any correspondence between the applicant and the planning authority; and - a submission demonstrating how the request satisfies the DAP criteria. <p>Depending on which party makes the request, the Minister must inform the other party (applicant or planning authority) of the request and give them the opportunity to respond and provide reasons why the request should or should not be granted.</p> <p>The Minister considers the response and request and then gives notice of his decision to the Planning authority and applicant. If the decision of the Minister is that the request satisfies the DAP criteria, the Minister directs the DAP to determine the application.</p> <p>If the Minister does not agree to the request, the Minister directs the planning authority to undertake the assessment.</p>	<p>The planning authority can request the Minister for a Prescribed purpose d) application to be referred to a DAP for determination once they have received an application, or any time during the assessment of the application.</p>
6	Provision of information by Planning authority	Minister and planning authority	<p>Where the applicant has requested a DAP referral for a prescribed purpose d) after the commencement of the planning authority's assessment, and the Minister agrees, he</p>	<p>The purpose of this section is for the planning authority to provide information on the development application and advise what stage</p>

			<p>must, in his notice to the Planning Authority, direct it to provide the following information;</p> <ul style="list-style-type: none"> - any correspondence between the planning authority and applicant; - the development application as lodged and, where applicable, responses to requests for further information, referral advice and copies of representations; and - advice that details the assessment process to date. 	<p>the planning authority is up to in its assessment of the development application where that assessment has commenced and the applicant may not be aware.</p>
7	<p>Prescribed purpose c) and d) referred to DAP mid assessment process</p> <p>DAP to establish the assessment process for the referred applications and give notice of it to all parties</p>	DAP	<p>Where the DAP has received an application under row 6 above (prescribed purpose d) that is part way through the assessment process) or a prescribed purpose c) application referred to it during the planning authority's assessment, the DAP determines how it wishes to proceed with the assessment of the development application in terms of the process set out below.</p> <p>The DAP must notify all parties, including representatives (if it has already been through public exhibition), advising them of the process and providing estimated timeframes for the completion of the various assessment tasks, including a timeframe for determination.</p>	<p>Where an application for Prescribed purpose c) and d) are referred to a DAP for determination mid assessment process, the DAP is to determine the remaining stages of the assessment process. The DAP needs satisfy itself as it sees fit which may include revisiting some stages of the assessment, such as requesting further information, which, incidentally, may give cause for re-exhibition.</p> <p>Statutory clock does not apply to these applications. Process is to broadly follow DAP assessment procedures but with timeframes at the discretion of the DAP.</p> <p>These applications return to following the statutory timeframe at row 21</p>

8	Early DAP referral or initial lodgement with DAP	DAP	Development applications that have been referred to the DAP under prescribed purpose c) or prescribed purpose d) that have not yet been lodged with the planning authority or the planning authority has not yet commenced the assessment process, can proceed in accordance with the framework set out below.	Early referral of an application to a DAP under prescribed purpose c) and d) allow the DAP to coordinate the assessment process in accordance with the statutory timeframes provided below.
9	Applications approved for early referral	DAP	The DAP reviews the application and determines if it is valid in accordance with the existing provisions of the Act. If not valid, the DAP seeks appropriate action from the applicant. This must be done within 7 days of receiving application.	
10	Referral to planning authority and other entities	DAP Start Clock (0-7) Max days	Statutory assessment clock commences once the DAP is satisfied that the application is valid. When the DAP determines that the application is valid, it must, within 7 days, refer it to the relevant planning authority and other entities, such as TasWater or regulated entities under the <i>Gas Industry Act 2019</i> .	
11	Request for further information (RFI)	Planning authority, referral entities and DAP (7-21)	Within 14 days of being referred an application from the DAP, the planning authority and referral entities are to provide the DAP with any RFI or advise the DAP that no additional information is required. The Planning Authority can only request further information from the applicant regarding: <ul style="list-style-type: none"> determining the impact of the use and development on council infrastructure to inform draft permit conditions that address the impacts of the use and development on council infrastructure; 	

			<ul style="list-style-type: none"> any matters that council would otherwise consider under the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i>, such as the provision of public open space, if the application is for subdivision. 	
12	DAP reviews RFI and notifies applicant of RFI	DAP (21-28)	<p>DAP to review and consolidate any RFI from the planning authority and referral entities and include additional matters as the DAP may require.</p> <p>The DAP can also request additional information that relates to the assessment of the application from the planning authority or regulated entities.</p> <p>The DAP is to give notice to the applicant of any request for information within 28 days of determining the application is valid.</p> <p>The applicant can query the DAP on its request for further information within 7 days of being notified of the request for further information.</p> <p>Statutory Clock stops once the applicant is notified of the request for further information.</p>	
13	Applicant provides DAP with a response to the RFI	Applicant STOP CLOCK	<p>Applicant to provide the DAP with further information as requested.</p> <p>DAP circulates the additional information received from the applicant to the planning authority and referral entities.</p> <p>Referral entities, planning authority and DAP have 7 days to review the additional information. Within that 7 days the planning authority and referral entities either determine that they are satisfied with the information provided and give notice to the DAP to that effect or provide a list of outstanding matters to the DAP.</p>	

			<p>If the referral entities, planning authority and DAP are all satisfied that the applicant provided the information requested, the statutory clock recommences.</p> <p>If the DAP has outstanding matters, or receives notice of outstanding matters from the planning authority or referral entities, the DAP has 7 days to review and consolidate the list of outstanding matters and, if deemed necessary for the assessment of the application, notifies the applicant requesting that there are outstanding matters to be addressed.</p> <p>The applicant can query the DAP on its outstanding matters notice.</p> <p>If there are still outstanding matters, the clock remains stopped.</p>	
14	Planning authority and referral entities provide advice on application to the DAP	Planning authority and referral entities	<p>35</p> <p>Within 28 days (excluding clock stop days) of being referred the application, the planning authority and referral entities provide their advice on the application to the DAP.</p> <p>The advice from the planning authority must (where relevant) include:</p> <ul style="list-style-type: none"> - An infrastructure impact statement outlining the impact of the application on Council's infrastructure; - Any draft permit conditions it would like to impose to address the impact of the use and development on council infrastructure; - any matters that council would otherwise consider under the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i>, such as the provision of public open space, if the application is for subdivision. 	<p>This approach requires the planning authority to address infrastructure and open space issues and allows them the opportunity to bring any other matter to the DAP's attention.</p> <p>The nature of advice from other referral entities are covered through their own Acts.</p>

			<p>The advice from the planning authority may include:</p> <ul style="list-style-type: none"> - A statement of merit in relation to the planning scheme requirements; - Any other matter that the planning authority would like to bring to the attention of the Commission. 	
15	DAP assesses application and prepares a draft assessment report and recommendation	DAP (35-49)	<p>Within 14 days of receiving the advice from the planning authority and referral entities, the DAP undertakes the initial assessment and prepares a draft assessment report.</p>	<p>The DAP can clarify matters, if needed, with the planning authority and referral entities on an informal basis.</p>
16	Exhibition and calls for reps	DAP (49-63)	<p>DAP exhibits application, additional information, referral advice and its draft assessment report and draft permit (if recommended for approval) for 14 days during which time representations are invited.</p> <p>DAP to notify adjoining property owners, planning authority and referral entities at the commencement of the 14 day exhibition period.</p>	<p>While the planning authority and referral entities are already a party to the proceedings, they may wish to make a representation in response to the DAP's draft report and any draft permit.</p> <p>Elected members can also make a representation outside their role as a member of the planning authority.</p>
17	Exhibition to include notification of hearing	DAP (49-63)	<p>The notification must include setting a date for a hearing not less than 10 days from the close of exhibition.</p>	<p>Notification of hearing is done at exhibition to put all parties on notice of when and where the hearing will be held.</p>
18	DAP publishes Representations and may	DAP (63-66)	<p>DAP publishes representations on the Commission's website. The DAP may dispense with holding a hearing if:</p>	<p>If hearing is dispensed, and the DAP directs the planning authority to issue a permit in accordance with the draft assessment report,</p>

	dispense with a hearing		<p>c. No representations where received; or</p> <p>d. Representations received supported the draft recommendations; and</p> <p>no parties to the proceedings, including the applicant, wish to attend a hearing.</p> <p>DAP to give notice to all parties of their decision to dispense with a hearing.</p> <p>If hearing is dispensed, the DAP may direct the planning authority to issue a permit in accordance with draft assessment report ie draft report can become decision.</p>	the permit is issued within 7 days in accordance with row 21.
19	Review reps and hearing preparation	All parties (66-73)	<p>Minimum time between publication of representations and hearing is 7 days. Parties prepare for hearings.</p> <p>The DAP and applicant can agree to an extension of time.</p> <p>If an agreement for an extension of time cannot be reached, the DAP can request an extension from the Minister.</p>	
20	DAP to hold hearings, make determination and give notice of decision	All parties /DAP (73-112)	<p>Hearings encouraged to be held locally.</p> <p>Following the hearings, the DAP considers all the information presented and makes a decision on the development application.</p> <p>The DAP is to give notice of its decision to the planning authority, regulated entities, applicant and representatives within or 7 weeks (unless an extension of time is granted) of the completion of the exhibition period.</p>	As above – for row 7 applications - DAP to satisfy hearing requirements and giving notice to parties but is not bound by the statutory timeframe.
21	Issuing of permit	DAP/Planning authority (112-119)	If the decision of the DAP is to grant a permit, the DAP must, in its notice to the planning authority above, direct it to issue a permit in accordance with its decision within 7 days of receiving the notice from the DAP.	The timeframes specified in this row and all subsequent rows now apply to row 7 applications.

			The permit becomes effective the day it is issued by the planning authority. If the permit is for a subdivision, the DAP also approves it in accordance with the provisions of <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> .	
22	Withdrawal of application	Applicant	The applicant may withdraw its application at any stage of the assessment process by notification to the DAP. The DAP must notify referral entities and the planning authority that the applicant has withdrawn the application. If the application has been exhibited, the DAP must also notify any representatives.	
23	Extension of time	Applicant and DAP	At any time after the close of exhibition, the applicant and DAP, may agree to an extension of time to determine the application. If the applicant does not agree to an extension of time, the DAP may request an extension of time from the Minister.	
24	Commission to take over Council's functions under LGBMP Act	DAP/TPC	Allow the Commission to take on particular functions of Council under the <i>Local Government Building and Miscellaneous Provisions Act 1993</i> that involve an application for subdivision.	
25	Enforcement	Planning authority	The planning authority is responsible for enforcing the permit.	This is the same process for permits issued by TasCAT.
26	Appeal rights	All parties	There is no right of appeal on the grounds of planning merit as the decision has been made by the DAP having been through a public process with all parties participating and being afforded natural justice.	While DAP decisions are not subject to a merit appeal, they are subject to judicial review by virtue of the <i>Judicial Review Act 1997</i> .

27	Minor amendment to permits	Applicant/planning authority	A planning authority can receive a request for a minor amendment to a permit involving an application that has been determined by the DAP without seeking the permission of the DAP.	Minor amendments to permits are assessed by the planning authority against the existing provisions of section 56 of the Act.
28	Fees	Applicant	Fees for the DAP and planning authority will be prescribed in regulations.	

Attachment – 2 - Proposed additional role for the Minister to direct a planning authority to prepare an LPS amendment.

Ref	Stage of assessment process	Responsible authority	Proposed Framework	Comments
1	Applicant requests the planning authority to amend its LPS	Applicant	Applicant submits an application to the planning authority to amend its LPS.	Refer to section 37 of the Act. No change to current process
2	Planning authority to make decision in relation to request	Planning authority	Planning authority can decide to prepare, or refuse to prepare, an amendment to its LPS.	Refer to section 38 of the Act. No change to current process
3	Applicant requests review of Planning authority's decision to refuse to prepare an amendment to its LPS	Applicant	Where the planning authority has refused to prepare an amendment to its LPS, the applicant can request the Commission to review the decision of the planning authority.	Refer to section 40B(1) of the Act. No change to current process
4	Commission reviews the planning authority's decision to refuse to prepare an amendment to its LPS	Commission	The Commission reviews the planning authority's decision and can: <ul style="list-style-type: none"> – direct the planning authority to reconsider whether to prepare a draft amendment to its LPS; or – determine that the planning authority took into account the appropriate matters when making its decision to refuse to prepare an amendment to the LPS. 	Refer to section 40B(4) of the Act. No change to current process
5	Planning authority reconsiders whether to prepare draft amendment to its LPS	Planning authority	If the planning authority has been directed by the Commission to reconsider an application to amend the LPS, it must do so and notify the applicant within 7 days of its decision.	Refer to section 40B (6) No change to current process

6	Applicant requests that the Minister reviews the planning authority's decision	Applicant	Where the applicant has been notified that, upon reconsideration of the draft amendment, the planning authority has still refused to prepare an amendment to the LPS as requested, the applicant may request that the Minister reviews the planning authority's decision to refuse to prepare a draft amendment.	New process
7	Minister reviews planning authority's decision	Minister	The Minister reviews the planning authority's decision and can: <ul style="list-style-type: none"> – direct the planning authority to prepare a draft amendment to the LPS; or – refuse to direct the planning authority to prepare a draft amendment to the LPS. If directing the planning authority to prepare a draft amendment to the LPS, the Minister must be satisfied that the draft amendment meets the LPS criteria.	New process
8	Minister directs the planning authority to prepare a draft amendment to the LPS	Minister	Minister directs the planning authority to prepare a draft amendment to their LPS.	Section 40C contains existing provisions for Ministerial direction to the planning authority to prepare draft amendments to LPSs
9	Planning authority prepares draft amendment to LPS	Planning authority	The preparation of draft LPS amendments is provided under section 40D of the Act.	No change to existing process. Section 40D also refers to a Ministerial direction under section 40C
10	Ministerial direction to apply to combined permit and scheme amendment		Ministerial direction to require a planning authority to prepare an amendment to its LPS, subject to the scenario described above, also applies to combined permit and planning scheme applications pursuant to section 40T of the Act.	New process
11	Exhibition and assessment of draft LPS amendment	Planning authority/ Commission	Assessment takes place in accordance with existing provisions	No change to current process

Attachment 3 - Summary of issues raised in submissions on the DAP Position Paper Consultation on the Development Assessment Panel (DAP) Framework Position Paper.

1. General opinion on the proposed introduction of a DAP assessment pathway			
Issue	Submission no	Summary of issue raised	Response
	102, 114, 127, 351, 353, 366, 437, 449, 441, 482, 511, 524	In support of the proposed framework and the economic and social benefits it will provide.	Noted.
	194, 353	In support of a DAP framework subject to conditions	Noted.
	366	The ability for an alternate assessment pathway is likely to be beneficial.	Noted.
	351, 441, 482, 500, 524, 535	In support of the proposed DAP framework as it provides an alternate pathway that will enhance certainty, transparency and effectiveness in planning decisions being made across Tasmania.	Noted.
	351	The framework sets a benchmark in best practice for dealing with complex and contentious development applications by mitigating political influences in the planning process.	Noted.
	382	In support of the DAP framework although it provides an assessment advantage to only a few types of applications.	Noted.
	56, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 101, 103, 105, 107, 108, 109, 110, 111, 112, 113, 115, 117, 118, 119, 120, 122, 123, 124, 125, 126, 129, 130, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 164, 165, 166, 167, 168, 169, 170, 190, 195, 197, 199, 200, 201, 202, 203, 204, 205, 206, 211, 213, 217, 219, 220, 222, 225, 263, 269, 272, 281, 289, 294, 306, 316, 319, 320, 321, 324, 329, 330, 332, 334, 335, 336, 337, 338, 342, 345, 356, 357, 360, 361, 362, 365, 368, 369, 370, 372, 373, 377, 379, 381, 383, 384, 387, 389, 390, 395, 399, 400, 401, 403, 404, 405, 406, 407, 409, 412, 413, 414, 416, 417, 419, 421, 422, 423, 425, 426, 429, 430, 431, 432, 433, 435, 436, 438, 440, 442, 443, 444, 445, 446, 450, 453, 454, 455, 456, 457, 460, 466, 468, 469, 472, 473, 474, 475, 476, 483, 484, 485, 486, 489, 490, 492, 493, 494, 495, 496, 497, 498, 501, 503, 504, 505, 508, 509, 510, 512, 513, 514, 515, 518, 520, 523, 525, 526, 527, 529, 530, 536, 537, 538, 539, 540.	It will create an alternate planning approval pathway allowing property developers to bypass local councils and communities. Handpicked state appointed planning panels will decide on development applications not your elected local council representatives. Local concerns will be ignored in favour of the developers who may not be from Tasmania. Also, if an assessment isn't going their way the developer can abandon the standard local council process at anytime and have a development assessed by a planning panel. This could intimidate councils into conceding to developers demands.	The proposed pathway maintains input from council and communities into the assessment process. Members of the planning panels are appointed by the Tasmanian Planning Commission (TPC), not handpicked by the State government. The TPC is an independent statutory authority that operates at arm's length from the government. Refer to section 4.3 of the Report on Consultation for further detail. Development applications referred to a DAP for determination are still required to undergo public consultation, consistent with the existing process, where local concerns are raised and required to be addressed by the DAP. The planning system does not differentiate between developers that are from Tasmania or elsewhere. The revised DAP framework does not provide an option for a developer to opt out of a council assessment process in favour of a DAP process once it has commenced.
	352.	The DAP framework will introduce as many 'conflicts of interest' as what occurs currently with councils.	The framework's intent is to remove the political tensions that exist, when elected member are required to make a decision that is inconsistent with their personal opinion or that of the constituents they represent. The assessment by an independent panel established by the TPC will remove any conflict between the roles of councillors as members of a planning authority and as elected representatives.

50, 439, 531, 541	DAP framework introduces greater uncertainty and complexity in planning processes.	It is accepted that the framework does introduce another process into the planning system. The framework provides an alternative assessment pathway only. The planning provisions which an application is assessed against remain the same. The DAP framework has been revised to provide simple and streamlined process with the DAP coordinating the assessment process.
173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 193, 207, 208, 209, 210, 214, 215, 216, 218, 221, 223, 224, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 257, 258, 259, 260, 261, 264, 265, 266, 267, 268, 270, 271, 273, 274, 275, 276, 277, 278, 279, 280, 282, 283, 284, 285, 286, 287, 288, 291, 292, 293, 295, 296, 298, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, 311, 312, 313, 314, 315, 317, 318, 322, 323, 325, 326, 327, 339, 340, 343, 344, 346, 348, 349, 350, 359, 371, 378, 380, 394, 398, 415, 434, 448, 480, 533.	DAP framework does not simplify process or reduce redtape.	The intent of the DAP framework is not to simplify the process or reduce redtape but to ensure independent assessment against the planning rules.
56, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 101, 103, 105, 107, 108, 109, 111, 113, 115, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 129, 130, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 164, 165, 166, 167, 168, 169, 170, 190, 195, 197, 199, 200, 201, 202, 203, 204, 205, 206, 211, 213, 217, 219, 220, 222, 225, 256, 263, 272, 289, 294, 306, 316, 319, 320, 321, 324, 329, 330, 332, 334, 335, 336, 337, 338, 342, 345, 356, 357, 360, 361, 362, 363, 365, 368, 369, 370, 372, 373, 377, 379, 381, 383, 384, 387, 389, 390, 395, 399, 400, 401, 403, 404, 405, 406, 407, 409, 412, 413, 414, 416, 417, 419, 421, 422, 423, 425, 426, 429, 430, 431, 432, 433, 435, 436, 438, 440, 442, 443, 444, 445, 446, 450, 455, 456, 457, 460, 466, 468, 469, 472, 473, 474, 475, 476, 479, 483, 484, 485, 486, 489, 490, 492, 493, 494, 495, 496, 497, 498, 499, 501, 504, 505, 509, 510, 512, 513, 514, 515, 518, 520, 523, 525, 526, 529, 530, 536, 537, 538, 539, 540.	Undermines local democracy and removes local decision making. State appointed hand-picked planning panels are not democratically accountable, they remove local decision making and reduce transparency and robust decision making.	The proposed DAP framework provides for local input into the assessment and decision making. Elected members are required to act as a planning authority when determining development applications. Decisions must be made in accordance with the planning scheme, not the political preference of locally elected members. Decisions being made on individual development applications by the planning authority are not intended to be a democratic process. The local democracy and local input has already been embedded in the local planning instrument that the development applications are being assessed against. Refer to section 4.2 of the Report on consultation for further information. The DAP is appointed by the TPC which is independent from government. Refer to section 4.3 of the Report on Consultation for further information. The Act already provides a pathway for development applications to be determined by a TPC panel under the s40T process.
2, 50, 55, 212, 347, 352, 354, 355, 364, 424, 451, 465, 516, 527.	Proposed framework politicises planning process and marginalise the role of citizens	The framework removes the politics by allowing development applications to be determined by an independent DAP which is required to consider the opinions of those making representations including the holding of public hearings so those representatives can be heard by the panel.
198, 341, 352, 376, 424, 439, 516, 541	Proposed legislative amendments undermine public confidence in planning decisions.	The DAP framework provides for decisions to be made by an independent panel where the concerns of representatives can be presented to the panel in a public hearing. This provides more input from the public than the existing development assessment process and should increase public confidence in planning decisions by removing political bias.

	226, 333, 341, 352, 427.	The framework does not reflect or undermines the need for planning decisions to be independent, open for public participation and transparent.	The framework provides for planning decisions to be made by an independent panel with a process that is open for public participation and subject to the rules of natural justice including procedural fairness.
	78, 226, 352.	The DAP framework will allow the State government to ignore the checks and measures provided by the existing system and will act to the detriment of local communities for the purpose of achieving political goals.	DAP decisions are independent of the government and will remove politics from the decision making. The framework does not propose any modification to the planning provisions which applications are assessed against and include the requirement for public engagement and inviting comments from the community. See section 4.3 of the Report on Consultation for more information about how the DAPs are established.
	527	The planning system should balance social, economic and environmental issues with development and the proposed framework tips too far away from 'social' aspects.	The framework does not alter any of the planning provisions which a development application is assessed against so does not alter the relative weight of social, economic and environmental issues. The framework maintains public engagement and introduces the ability for representatives to be heard and examine the evidence of other parties.
2. General issues associated with the proposed DAP framework			
Process	56, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 101, 103, 105, 107, 108, 109, 111, 113, 115, 117, 118, 119, 120, 122, 123, 124, 125, 126, 129, 130, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 155, 157, 158, 159, 160, 161, 163, 164, 165, 166, 167, 168, 169, 170, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 193, 195, 197, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 263, 264, 265, 266, 267, 268, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 291, 292, 293, 294, 295, 296, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 324, 325, 326, 327, 329, 330, 332, 334, 335, 336, 337, 338, 339, 340, 342, 343, 344, 345, 346, 348, 349, 350, 356, 359, 360, 361, 362, 365, 365, 369, 370, 371, 372, 373, 377, 378, 379, 380, 381, 383, 384, 387, 389, 390, 394, 395, 398, 399, 400, 401, 403, 404, 405, 406, 407, 409, 412, 413, 414, 415, 416, 417, 419, 421, 422, 423, 426, 429, 430, 431, 432, 433, 434, 435, 436, 438, 440, 442, 443, 444, 445, 446, 448, 450, 455, 457, 460, 466, 468, 469, 471, 472, 473, 474, 475, 476, 480, 483, 484, 485, 486, 489, 490, 492, 493, 494, 495, 497, 498, 501, 503, 505, 509, 510, 512, 513, 514, 515, 518, 520, 523, 526, 529, 530, 533, 536, 537, 538, 539, 540.	Increases complexity in an already complex planning system	The revised framework has been simplified to provide for the assessment to be coordinated by the DAP. Refer to section 4.5.1 of the Report on Consultation for further information.

56, 57, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 101, 103, 105, 107, 108, 109, 111, 113, 115, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 128, 129, 130, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 155, 157, 158, 159, 160, 161, 164, 165, 166, 167, 168, 169, 170, 190, 195, 197, 199, 200, 201, 202, 203, 204, 205, 206, 211, 213, 217, 219, 220, 222, 225, 256, 263, 272, 289, 294, 306, 316, 318, 319, 320, 321, 324, 329, 330, 334, 335, 336, 337, 338, 342, 345, 356, 360, 361, 362, 365, 368, 369, 370, 372, 373, 377, 379, 381, 383, 384, 386, 387, 390, 395, 399, 400, 401, 403, 404, 405, 406, 407, 409, 412, 413, 414, 416, 417, 419, 422, 423, 425, 426, 429, 430, 431, 432, 433, 435, 436, 438, 440, 442, 443, 444, 445, 446, 450, 453, 454, 455, 456, 460, 468, 472, 473, 474, 475, 476, 483, 484, 485, 486, 489, 490, 492, 493, 494, 495, 497, 498, 499, 501, 503, 505, 506, 510, 512, 513, 514, 515, 518, 520, 523, 525, 526, 529, 530, 536, 537, 538, 539, 540.	Ensure transparency, independence, accountability and public participation in decision-making within the planning system, as they are critical for healthy democracy. Keep decision making local with opportunities for appeal. Abandon planning panels and instead take action to improve governance and the existing Council planning process by providing more resources to councils and enhancing community participation and planning outcomes.	The proposed DAP framework provides for transparency, independence, accountability and public participation. Decisions will continue to be made with local input. Unlike the current local council process the DAP framework includes public hearings where all parties are invited to test each other's evidence in a public forum and in front of the decision makers. The proposed process has all the natural justice and procedural fairness elements of an appeal. The decisions are made by planning experts appointed by the TPC so there is no need for the decision of the DAP to be subject to a planning merit appeal. Refer to section 4.4 of the Report on Consultation for further information. Councils are already required to act independently of their local political interests when assessing a development but there are cases where they introduce matters outside of the planning rules because of their role as a political representative. There is a need to ensure proper independent rules-based assessments.
136	The framework should mirror the existing process with the DAP determining the application and not the council.	Revised framework seeks to streamline the process with the application only being referred to the council for advice.
376,	Support for the framework adopting the s40T model.	Noted. Although issues raised regarding the duplication of assessment process has resulted in modifying the framework to allow the DAP to coordinate the assessment and councils used as a referral entity.
194, 491, 531,	Unfair for DAP to use council for administration of application assessment.	Noted. Revised framework addresses this by seeking to streamline the process with the DAP coordinating the assessment and referring the application to the council for advice only.
524	Once trialled the DAP framework should become the normal approval pathway.	The intent of the framework is to address the types of applications that are problematic.
366, 418, 461, 471, 531,	The mechanics of the framework is too ambiguous to determine if it would work.	Noted. The framework presented a concept to encourage discussion and feedback as referenced in the Position Paper. This framework has been revised and simplified. The draft Bill will provide more detail regarding specific processes.
463, 471, 517,	Support for using and improving existing assessment pathways rather than creating new ones.	The justification for the proposed framework is discussed in the body of the Report on Consultation at section 4.1. While a new pathway is proposed the planning rules applying are the same.
482	Proposes an alternative framework based on DAP models used in WA and QLD. Suggest that Social and affordable housing projects could opt in or out of a DAP assessment. Suggested framework reduces time frames from 105 days to 60 days.	Noted however, these models operate under different planning systems that do not necessarily align and fit in with the Tasmanian system. The revised framework does allow for social and affordable housing to opt in or out based on seeking and obtaining endorsement from Homes Tasmania. The timeframe for determination is longer because it accounts for public hearing processes that removes the need for subsequent appeals.

366	Can council lodge representations and respective appeal rights?	Under the proposed framework provided in the Position Paper a Councillor could make a representation and there was no right of appeal.
471	Fears the DAP framework will undermine the Major Projects pathway.	The revised framework allows the planning authority to advise the DAP on matters relevant to the application and it can also make a representation on the DAPs draft assessment report. A councillor can also make a representation.
388, 517	Disagree with the assumption that DAP framework will quash controversy, and that community pressure and political pressure detracts from desirable planning outcomes.	The pathways are different and separated by specific eligibility criteria. The DAP process is simply an alternative pathway for assessment against the existing rules while the Major Project process develops project specific criteria.
198, 408	By-passing council and TasCAT undermines administrative justice by removing accountability of both the democratic and merits review in exercising planning discretions.	The intent of the framework is simply to provide for an independent panel to make the decision in accordance with the existing planning scheme provisions.
353	Suggests use of different terminology to 'discretionary referral' as it could be confused with discretionary application.	Refer to section 4.4 of the Report on Consultation.
Justification	There is no justification for the need for the planning system to provide another assessment pathway	Acknowledged. The revised framework no longer refers to a discretionary referral process.
439, 531, 541.	Further investigation of the issues that have given rise to the development of the framework need be reviewed in light of deficient planning scheme standards or issues with points of law that could be addressed more simply.	Refer to section 4.1 of the Report on Consultation for discussion on the justification for the DAP framework.
462		Perceived deficiencies in the planning scheme standards are outside the scope of this project. It is noted that the State Planning Provisions (SPPs) are currently under review.
531, 541	Difficult to reconcile that there is compelling justification for the introduction of DAPs, and the issues that the government has identified are limited isolated cases which leads to a reasonable question as to whether there is a problem that warrants this level of intervention?	While the number of cases is limited, the evidence is that they impact more on social and affordable housing projects at a time of critical housing shortage. The revised framework focusses on this particular need and other applications that satisfy the DAP criteria where the applicant or planning authority makes a request to the Minister for the application to be referred to a DAP for determination or where the applicant, or the planning authority with the consent of the applicant choose DAP determination subject to the application meeting value thresholds. . Refer to section 4.1 of the Report on Consultation for further discussion on the justification for the DAP framework.

	23, 50, 56, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 101, 103, 105, 107, 108, 109, 111, 113, 115, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 129, 130, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 163, 164, 165, 166, 167, 168, 169, 170, 190, 195, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 211, 213, 217, 219, 220, 222, 225, 256, 263, 269, 272, 281, 289, 294, 306, 316, 318, 319, 320, 321, 324, 329, 330, 332, 334, 335, 336, 337, 338, 342, 345, 356, 360, 361, 362, 365, 368, 369, 370, 372, 373, 377, 379, 381, 383, 384, 387, 389, 390, 395, 399, 400, 401, 403, 404, 405, 406, 407, 409, 410, 412, 413, 414, 416, 417, 418, 419, 421, 422, 423, 426, 427, 429, 430, 431, 432, 433, 435, 436, 438, 440, 442, 443, 444, 445, 446, 450, 453, 455, 456, 457, 460, 465, 466, 468, 469, 471, 472, 473, 474, 475, 476, 479, 483, 484, 485, 486, 487, 489, 490, 491, 492, 494, 495, 497, 498, 499, 501, 503, 504, 505, 506, 509, 510, 512, 513, 514, 515, 517, 518, 520, 523, 526, 529, 530, 531, 534, 536, 537, 538, 539, 540, 541.	Poor justification – there is no problem to fix.	Refer to section 4.1 of the Report on Consultation for discussion on the justification for the DAP framework.
Role of Council	194	By removing council from some of their planning authority roles allows Councillors to advocate for their constituents on certain matters.	Noted, this is consistent with part of the rationale for the DAP framework as Councillors should be applying the provisions of the planning scheme and not advocating for their constituents on certain matters.
	194, 517.	Should upskill elected members on their decision making behaviour.	Noted. There is an existing educational module produced by the Office of Local Government in conjunction with the SPO for new elected members that explains their role as a member of a planning authority.
	462, 491.	The framework should eliminate all obligations of the planning authority to assess an application and should be used by the DAP as a referral body.	The revised framework refers the application to the planning authority for advice as it has technical information about local conditions that is important to consider.
	23, 50, 71, 163, 388, 439, 458, 491, 506.	Councillors can clearly distinguish between their political and planning authority roles.	It is acknowledged that this is correct in the majority of cases. The framework provides an alternate pathway for certain development applications that have been identified as problematic
	194, 517.	Councillors can manage perceived bias	As above

	1,5,6, 7,8, 10,12,14,15,16, 17,18, 19, 21, 27, 28, 29, 30, 31, 32, 33,34, 35, 36,37, 39, 40, 41, 42, 43, 44, 45,, 48, 49, 50, 51, 53, 54, 55, 57, 58, 71, 76, 85, 94,96, 104, 106, 156, 162, 163, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186,, 187, 188, 189, 191, 193, 198, 207, 208, 209, 210, 212, 214, 215, 216, 218, 221, 223, 224, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 257, 258, 259, 260, 261, 262, 264, 265, 266, 267, 268, 270, 271, 273, 274, 275, 276, 277, 278, 279, 280, 282, 283, 284, 285, 286, 287, 288, 290, 291, 292, 293, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, 311, 312, 313, 314, 315, 317, 318, 321, 322, 323, 325, 326, 327, 333, 339, 340, 341, 343, 344, 346, 347, 348, 349, 350, 352, 354, 355, 358, 359, 362, 364, 371, 374, 378, 380, 385, 388, 389, 393, 394, 397, 398, 408, 410, 411, 415, 424, 428, 434, 447, 448, 451, 458, 460, 467, 470, 480, 481, 487, 502, 507, 512, 517, 519, 521, 527, 533, 534,	Council should retain their role as planning authority in the assessment of development applications to ensure local democracy in decision making.	Council will retain their decision-making functions on the majority of applications. The revised framework only applies to eligible applications that facilitate social and affordable housing, or where the applicant, or the planning authority with the consent of the applicant support referral, subject to meeting value thresholds, or upon request to the Minister for an application to be referred. The DAP framework provides for local input into the assessment and decision-making process. Elected members are required to act as a planning authority when determining development applications. Decisions must be made in accordance with the planning scheme, not the political preference of locally elected members or their response to constituent pressure. Decisions being made on individual development applications are not intended to be a democratic process in the sense of voting for or against something on personal preference but where pre-determined rules are independently applied. The local democracy and local input into the decision has already been embedded in the planning instrument that the development applications are being assessed against. Refer to section 4.2 for further discussion.
160, 465	Local government should not be bound by their role as a planning authority under the Act and should be able to vote on planning matters in a democratic way and as they see fit.	This is inconsistent with the Act and the Resource Management and Planning System and fails to provide certainty for delivering planning outcomes. Planning decisions should be made against transparent planning rules and not involve personal biases.	
382	Increase state-wide planning regulations and deregulation of assessment power of local councils.	Noted. The Tasmanian Planning Scheme provides for state-wide planning regulations.	
102, 524,	The government should take planning away from local Councils.	Evidence suggests that in most circumstances the planning system is working well. The DAP pathway seeks to address only those problematic applications which are holding up important developments such as social housing.	
102	The government should amalgamate Councils.	Outside the scope of this project	
462, 478, 531	Council is best placed to make decisions on planning applications although acknowledges there may be situations where referral to a DAP may be useful to allow elected members to express a different position.	Noted and submission supported.	
462	The framework does not achieve its objectives of deconflicting the roles of local government.	The framework does not suggest it can deconflict the roles. It simply provides an alternate pathway to alleviate the conflict for certain applications that might be problematic.	
366, 482, 500, 524,	The DAP framework provides a platform to take personal preferences and biases out of planning decisions.	Noted.	

	478, 534.	The framework introduces the potential for greater bias by suggesting that elected members can act as advocates. This places planning staff in a difficult position.	Elected members advocating an outcome under the framework are acting as Councillors, not the planning authority. Where a development is not referred to a DAP it is clear that the elected member has the role to act as a member of the planning authority
	352	Abandon the proposed framework and take action to improve governance in councils.	Noted. There is an existing educational module produced by the Office of Local Government in conjunction with the SPO for new elected members that explains their role as a member of a planning authority.
	351	The DAP framework provides a practical solution to the potential conflicting and biased roles that Councillors face as members of a planning authority consistent with issues identified in the Future of Local Government Review Stage 2 Interim Report.	Noted and supported
Consultation with Council	439, 478, 541	Consultation with local government is inadequate and does not provide sufficient time to fully understand the proposal and the implications for local government.	Noted, however consultation took place in accordance with agreed timeframes for consultation between local government and the State.
	541	The government should engage directly with local government to develop a DAP framework that is fit for purpose.	Noted and supported. The government did engage directly with local government.
Reference to specific proposals	437, 524	Provides a detailed example of the Skylands proposal, identifying issues that would have benefited from an independent review by a DAP.	Noted and acknowledged.
	3, 4, 7, 9, 10, 11, 14, 15, 17, 20, 21, 22, 24, 25, 26, 27, 28, 30, 33, 34, 35, 38, 40, 41, 44, 45, 47, 51, 52, 53, 54, 164, 168, 196, 297, 362, 410.	Concerns that the DAP framework will lead to the approval of the MT Wellington Cable Car	The revised DAP framework prescribes that only certain applications are eligible for DAP determination. Therefore, any future proposed Mt Wellington Cable Car application that satisfies the criteria may be eligible. The DAP process does not change the planning provisions a proposal is assessed against or the need for landowner consent to lodge a development application such as the council owned land in Wellington Park.
	385, 408, 458	Fears that the DAP framework will lead to inappropriate development in National Parks	The DAP framework does not alter the existing planning scheme provisions that applications are assessed against. It is noted that there is a DAP model being proposed through the review of the National Parks Reserve Activity Assessment process which is separate to this process.
	46, 192	Objection to the framework on the basis that it will allow the stadium to be approved.	The stadium is a Project of State Significance and is being assessed under a different Act by an independent panel of the Tasmanian Planning Commission.

	56,59, 60,61,62, 63,64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 101, 103, 105, 107, 108, 109, 110, 111, 113, 115, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 128, 129, 130, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 164, 165, 167, 168, 169, 170, 190, 195, 197, 199, 200, 201, 202, 203, 204, 205, 206, 211, 213, 217, 219, 220, 222, 225, 263, 272, 289, 294, 306, 316, 320, 321, 324, 329, 330, 332, 334, 335, 336, 337, 338, 342, 354, 356, 357, 360, 361, 362, 363, 365, 368, 369, 370, 372, 373, 377, 379, 381, 383, 384, 387, 389, 390, 395, 399, 400, 401, 403, 404, 405, 406, 407, 409, 412, 413, 414, 416, 417, 419, 420, 421, 422, 423, 426, 429, 430, 431, 432, 433, 435, 436, 438, 440, 442, 443, 444, 445, 446, 450, 455, 456, 457, 460, 465, 466, 468, 469, 472, 473, 474, 475, 476, 483, 484, 485, 486, 489, 490, 492, 494, 495, 497, 498, 501, 503, 505, 506, 508, 509, 510, 512, 513, 514, 515, 518, 520, 523, 525, 526, 529, 530, 536, 537, 538, 539, 540,	Makes it easier to approve large scale contentious developments like the kunanyi/Mount Wellington cable car, high-rise in Hobart, Cambria Green and high-density subdivision like Skylands at Droughy Point.	The DAP framework does not make it easier to approve large scale contentious developments. It simply proposes to provide an alternate assessment pathway where the existing planning scheme provisions are applied to assess an application but the decision is made by an independent panel established by the TPC.
3. Specific issues raised on the proposed DAP framework			
3.1 Referral of a development application to a DAP			
Timing of referral to DAP	461, 491,	DAP referral must occur at the beginning of the process to allow the DAP to have input into the initial assessment, requests for further information and review of representations.	Supported. The revised framework provides for the opportunity for an application to be lodged directly with the DAP who manages the assessment process.
	471, 462	Support for referral at the beginning of the process or after consultation.	As above
	136, 262,	Does not support the ability of the planning authority and applicant to opt into the DAP process at anytime.	Noted however, issues may arise midway through the assessment process where it becomes apparent that the assessment of the application is problematic.
	194 , 376, 449, 478, 511	Support referrals to DAP at different stages of assessment	Noted however the framework has been revised to provide a more streamlined approach to reduce the complexity and double handling of assessment tasks between the planning authority and DAP.
	351	In support of the framework providing multiple referral points throughout the assessment as it considers and reflects the complexities inherent in the management and assessment of development applications.	Noted. The revised models allow multiple entry points subject to satisfying eligibility criteria.
	522	Further consideration of appropriateness to refer an application to a DAP later in the development assessment.	As above.
	353	Queries discretionary DAP referrals being made by council officers or the planning authority as this has time implications.	The revised framework allows the planning authority to make a request to the Minister to refer an application to the DAP. In this instance the statutory clock would have to stop similarly to where the planning authority with the consent of the applicant agree to the referral.
	136, 50	DAP referral should only be made by the planning authority and occur at the time it is meant to be making its decision.	The revised framework allows multiple entry points to provide for flexibility in the assessment process and to address issues as they arise.

Who is responsible for referral	353	Non-mandatory referrals should be at the discretion of the planning authority, not the applicant, however the applicant should have the right to appeal this decision.	The framework has been revised to provide for options for the planning authority or the applicant to request the Minister to refer, or the applicant or planning authority with the consent of the applicant to make a referral to the DAP subject to meeting values thresholds.
	194, 353, 388, 459, 462, 376, 477, 511,	Support Council having the ability to refer an application to a DAP.	The revised framework allows council to request the Minister to refer an application to a DAP, or the planning authority with the consent of the applicant, subject to conditions.
	351	Support recognition of situations where the applicant can request the planning authority to consider referring the application to a DAP or challenging the planning authority's referral.	Noted, these comments have been incorporated in the revised framework.
	353, 388, 459, 462, 534	Planning authority should be the only point of referral of a development application to a DAP.	The planning authority with the consent of the applicant may refer an application subject to criteria. A planning authority can also request the Minister to refer an application under other circumstances.
	367, 428, 471, 517, 535, 542.	Referral to a DAP should be undertaken by the Planning authority with consent of the applicant	The referral of applications and the eligibility criteria is based on capturing those applications that are problematic.
	461, 491,	Referral should be from the applicant or Council. Referral process needs to establish different criteria for developer and council referred proposals	As above.
	449	Unlikely that planning authority and applicant will always agree to referral.	Noted. The Minister determines if an application is to be referred where the consent of both parties is not achieved.
Disputes over referral	522	Given DAP has to agree to referral, it is unnecessary to require mutual consent of applicant and planning authority to refer.	The framework has been revised so the comment on this matter is no longer relevant.
	462	The Minister should only intervene if there is dispute over a referral of application.	The revised framework allows the Minister to consider a request by either the applicant or planning authority subject to addressing other criteria.
	353	Disputes regarding discretionary DAP referral should be resolved by TasCAT.	As above, the Minister responds to requests by either the planning authority or the applicant thereby making a determination to refer where an agreement cannot be reached.
Ministerial referral ⁷	353, 388, 418, 410, 439, 471, 477, 517.	The Minister should have no power to intervene on referring a development application to a DAP.	The Minister is the most appropriate person to resolve any conflict between the planning authority and applicant regarding the referral of an application to the DAP for determination subject to being satisfied that the DAP criteria is met.

⁷ Further issues associated with the proposed DAP framework providing a role for the Minister to refer an application to a DAP are identified below.

	367	Minister should only intervene if there is a breach of statutory responsibility by the planning authority.	Evidence of conflict of interest or perceived bias is one of the DAP criteria.
	522	Ministerial referrals should require consultation with regulators and state agencies prior to referral.	This is considered unnecessary for a development application being assessed against the planning scheme.
	449, 491, 524,	Support for Ministerial referral process.	Noted.
3.2 Types of development applications that are proposed for DAP referral (consultation issue 1 of Position Paper)			
Mandatory referral and DAP criteria	449, 441, 524	Support for the range of applications for mandatory referral to DAP	Noted, however due to other findings from consultation there are no mandatory referrals in the revised framework.
	194, 462, 463, 491,	DAP framework should be available to those councils that are under resourced or where there is a contentious application	Noted, and supported in revised framework subject to the application meeting value thresholds.
	351, 441,	In support of criteria based referral of an application to a DAP as it provides the proponent with a responsive, efficient, transparent and effective assessment.	Noted.
	452	Referral of an application to a DAP should only be for prescribed purposes or called- in by the Minister.	The revised framework provides that only applications for 'prescribed purposes' are eligible for consideration by a DAP. These include social and affordable housing endorsed by Homes Tasmanian, where the applicant or the planning authority with the consent of the applicant support the referral subject to meeting a value threshold, or upon request to the Minister by either the planning authority or applicant subject to satisfying the DAP criteria Compliance with the DAP criteria is determined by the Minister consistent with this submission..
	162, 439, 522, 532, 353	The proposed DAP criteria are too broad and ambiguous.	Noted. The revised framework has been modified to address ambiguity and require the Minister to determine when an application satisfies the DAP criteria.
	452	Application from State Agencies or applications where State owns the land should be eligible for DAP referral.	Applications from State agencies are eligible for DAP referral subject to complying with the criteria in the framework. The DAP process does not change the need for landowner consent to lodge a development application.
	461	Lack of evidence to justify the types of development applications that will be referred to a DAP.	The Position Paper discussed why the types of applications that are proposed to be referred to a DAP would benefit from the being assessed through the DAP pathway. Refer to section 4.1 of the Report on Consultation for further justification of the types of development that are suitable for being determined by a DAP.
	461	Types of applications referred to DAP must be clarified eg sections 57 and/or 58 and minor amendments	The Position Paper was explicit that the DAP assessment pathway only applied to s 57 applications.
	535	Include additional criteria to allow developments that do not neatly fit with the planning scheme.	This is outside the scope of the process proposed and would require further consultation to determine parameters around what would be acceptable. There are existing processes that allow these types of projects to be considered including the Major Projects process and the capacity for applicants to seek to amend the planning scheme at the same time as lodging a development application.

Social and affordable housing	136, 156, 353, 388, 517,	Social housing applications should not be mandatorily referred to a DAP for determination.	The framework proposed that they are only referred to a DAP if the applications is endorsed by Home Tasmanian as being suitable for DAP determinations.
50		Social housing will be better dealt with by controlling short stay accommodation and for the government to stop promoting growth.	Noted however, this is outside the scope of this project. The Government is reviewing the Regional Land Use Strategies to guide growth in appropriate locations. There is evidence that social housing projects are not always being assessed without political bias.
	114, 392, 463, 524,	In support of social and affordable housing being assessed by a DAP.	Noted and supported.
351		DAP framework will help deliver State government's housing targets.	Noted and supported.
114		Recommend definition of 'Social Housing' and 'Affordable Housing' is consistent with the Tasmanian Housing Strategy 2023-43	Noted, supported.
471		Need to define or qualify 'social and affordable housing'	Noted and supported.
367, 478, 491,		Social and affordable housing applications do not present an issue and are dealt with like all other residential development.	Noted however there is evidence to suggest there have been cases where these applications have been problematic.
114		Include definition of 'Registered Community Housing Provider' for the mandatory referral of social housing applications by adopting the national Community Housing Industry Association (CHIA) definition: 'Registered Community Housing Provider' – means an organisation established as a constitutional corporation that is: a) <i>Registered as a charity under the Charities Act 2013 (Cth) by the Australian Charities and Not for Profit Commission (ACNNA); and</i> b) <i>Registered as a Community Housing Providers National Law set out in the Appendix to the Community Housing Providers (Adoption of National Law) Act 2012 (NSW) (or jurisdictional equivalent in Tasmania)</i>	Noted and supported however it is not considered necessary to include the definition in the framework as allowing developments proposed by a Registered Community Housing Provider is likely to be an administrative task performed by the Board of Homes Tas when determining that a project is suitable for DAP determination as required under the draft "prescribed purpose" in attachment 1A of this report.
	114, 482	The proposed process for the assessment of social and affordable housing duplicates tasks undertaken by council and the Tasmanian Planning Commission and could be further streamlined.	Supported and addressed in the revised framework.
	114, 482	Social and affordable housing should be dealt with separately in a more streamlined process to deliver faster implementation.	Supported and addressed in the revised framework.
388		There is no problem with the planning authority's assessment of social housing applications.	Noted however there is evidence to the contrary.
136, 388, 478, 517,		Lack of evidence to justify referral of social housing applications.	Noted however there is evidence to the contrary. Refer to section 4.1 of the Report on Consultation.

Critical Infrastructure	136, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 193, 207, 208, 209, 210, 214, 215, 216, 218, 221, 223, 224, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 257, 258, 259, 260, 261, 264, 265, 266, 267, 268, 270, 271, 273, 274, 275, 276, 277, 278, 279, 280, 282, 283, 284, 285, 286, 287, 288, 291, 292, 293, 295, 296, 298, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, 311, 312, 313, 314, 315, 317, 318, 322, 323, 325, 326, 327, 339, 340, 343, 344, 346, 348, 349, 350, 359, 371, 378, 380, 388, 394, 398, 415, 434, 448, 533,	'Critical infrastructure' applications should not be mandatorily referred to a DAP for determination because there are other pathways available.	The revised framework removes 'critical infrastructure' from being eligible for DAP determination.
	156	Critical infrastructure should be referred to a DAP where it has statewide impact or affects 2 or more local government areas.	The revised framework removes 'critical infrastructure' from being eligible for DAP determination.
	367, 392, 471, 478, 531,	There are already existing pathways for critical infrastructure	Noted. The revised framework removes 'critical infrastructure' from being eligible for DAP determination.
	50, 351, 471, 491, 517, 522, 542,	'critical infrastructure' needs to be better defined	Noted. The revised framework removes 'critical infrastructure' from being eligible for DAP determination.
Contentious applications	136, 367, 392, 428,	Difficult to determine if an application will be contentious. The concept is ambiguous and is unsuitable for a DAP criteria.	The revised framework retains applications that are contentious as one DAP criterion. Any request to the Minister to refer an application to a DAP under this criterion is required to provide evidence. It is a matter for the Minister to determine if the application satisfies the criterion.
	136, 353, 441,	Support the referral of an application to a DAP where a certain number of representations are received which represents a contentious application with high community interest.	Noted, the revised framework includes, as a DAP criterion, applications that are expected to be, or is, highly contentious.
Perceived bias/conflict of interest	353, 428, 452, 487, 136, 162	Do not support referral to DAP on the basis of the applicant considering there is perceived bias on the part of the Council	The framework retains the consideration of this issue as a DAP criterion as it provides an avenue for an alternate assessment pathway if the applicant can demonstrate that there is a conflict of interest or bias.
	367, 388, 449, 452, 491, 496, 534,	No evidence that perceived bias on the part of the decision makers is a problem. Council has own ways of managing.	Acknowledged however there have been cases where this has occurred.
	441, 478,	In support of referral where there is a real or perceived bias on the part of the planning authority	Noted and criterion retained.
	156, 471,	Suitable for referral where quorum cannot be reached or Councilors express conflict of interest	Noted
	461	Need to establish a process to determine perceived bias.	The framework has been revised to allow the Minister to make this determination.
	173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 193, 207, 208, 209, 210, 214, 215, 216, 218, 221, 223, 224, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 257, 258, 259, 260, 261, 262, 264, 265, 266, 267, 268, 270, 271, 274, 275, 276, 277, 278, 279, 280, 282, 283, 284, 285, 286, 287, 288, 291, 292, 293, 295, 296, 298, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, 311, 312, 313, 314, 315, 317, 318, 322, 323, 325, 326, 327, 339, 340, 343, 344, 346, 348, 349, 350, 359, 371, 378, 380, 394, 398, 415, 434, 448, 480, 517, 533,	DAPs will increase the perception of bias	The DAPs are to be established by the TPC which is independent from government. The TPC already performs a number of decision-making functions in the RMPS and has well established and tested procedures to manage perceptions of bias and conflicts of interest. DAP decisions will be subject to judicial review of their assessment process which potentially invalidates decisions where natural justice has not been provided.

Complex development applications	353, 364, 367, 388, 392, 517.	Do not support the referral of complex development applications to a DAP	The DAP framework retains this criterion and allows the Minister to be satisfied that it is met. Where a request against this criterion has been made by the applicant, the framework also provides an opportunity for the planning authority to make a submission in response.
	522	In support of complex projects being referred to a DAP.	Noted and as above.
Ministerial referral	353, 364,	Inappropriate for Minister to nominate applications to go to DAP for determination	The Minister is the most appropriate person to resolve any conflict between the planning authority and applicant regarding the referral of an application to the DAP for determination subject to being satisfied that the DAP criteria is met.
	491	Ministerial call in powers may be appropriate in some cases.	Noted
	56,59, 60,61,62, 63,64, 65, 66, 67, 68, 69, 70, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 101, 103, 105, 107, 108, 109, 111, 113, 115, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 129, 130, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 164, 165, 167, 168, 169, 170, 190, 195, 197, 199, 200, 201, 202, 203, 204, 205, 206, 211, 213, 217, 219, 220, 222, 225, 263, 272, 289, 294, 306, 316, 319, 320, 321, 324, 329, 330, 332, 334, 335, 336, 337, 338, 342, 345, 356, 357, 360, 361, 362, 365, 368, 369, 370, 372, 373, 377, 379, 381, 383, 384, 387, 389, 390, 395, 399, 400, 401, 403, 404, 405, 406, 407, 409, 412, 413, 414, 416, 417, 419, 421, 422, 423, 426, 429, 430, 431, 432, 433, 435, 436, 438, 440, 442, 443, 444, 445, 446, 450, 455, 456, 457, 460, 466, 468, 469, 472, 473, 474, 475, 476, 483, 484, 485, 486, 489, 490, 492, 494, 495, 497, 498, 499, 501, 503, 505, 508, 509, 510, 512, 513, 514, 515, 518, 520, 523, 526, 529, 530, 536, 537, 538, 539, 540,	Flawed planning panel criteria. Changing an approval process where one of the criteria is on the basis of 'perceived conflict of interest' is fraught. The Planning Minister has political bias and can use this subjective criteria to intervene on any development in favour of developers.	The Ministerial powers only relate to a request by the applicant or the planning authority to refer the application to a DAP. The Minister has no role in determining the application or influencing the outcome of the assessment which is undertaken against the same planning provisions.
Council applications	136, 156, 194, 351, 353, 392, 441, 452, 462, 471, 478, 491, 517, 524, 534	Support for referral of applications where Council is the applicant	Noted and retained should Council wish to use it subject to a \$1M value threshold.
	388, 428, 439	Council can manage the assessment of its own applications.	Agree. council has been successfully managing the assessment of its own applications. The framework provides an option for council to make a request to the Minister for its application to enter the DAP process.
	367	Council applications are assessed by an independent planning consultant.	Noted. As above, the framework provides another option for council should it choose to use it.
Developments over certain values	391, 449, 452, 461,	Need to clarify value amount of application being referred.	Noted and value thresholds have been clarified.
	136, 156, 262, 353, 364, 367, 459, 462, 471, 487, 517, 535	Do not support the criteria for applications over certain values being referred to DAP for determination because they are not always problematic.	Noted. The revised framework provides an option for these types of applications to proceed to a DAP for determination.
	351	\$5M threshold for non-metropolitan municipalities is too high and should be reduced to \$1Million for discretionary DAP referral.	The DAP criteria value thresholds are considered reasonable and can be modified if needed in the future.
	522, 542,	Further consultation required for mandatory referral to a DAP based on the value of the application.	Noted. The draft Bill will include proposed values thresholds which will undergo further consultation.

	463, 491, 511.	Support for DAP referral where a certain value is exceeded.	Noted and retained
3.4 Resolving issues associates with request for further information			
	136, 439, 517.	Does not support the DAP reviewing Council's request for further information	The TPC already has this review function under s40V for s40T permits. The framework has been revised so the DAP coordinates the assessment process. This involves referring the application to the planning authority for advice on how the proposed use and development might impact council's infrastructure and any matters under the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> if the application is for subdivision. The DAP is required to review the planning authority's request for further information to ensure it is appropriate and the DAP has the information it needs to assess the application.
	522	In support of the DAP reviewing Council's further information request.	Noted and consistent with revised framework
	50, 439, 471.	Appeals against request for additional information should be made to TasCAT.	With the revised framework now being coordinated by the DAP, it can manage any disputes over further information requests.
	491	Because the DAP is the decision maker, it should be requesting the further information.	Supported. The revised framework provides for the planning authority to request information relating to the impact of the proposed use and development on council's infrastructure and the DAP to request any further information relating to the assessment against the planning provisions.
	353	Does the framework provide a timeframe for the planning authority to advise the applicant that the further information request has not been satisfied?	No, it did not. The revised framework allows 7 days.
	452	No evidence to suggest that requests for further information have been misused.	Submissions have been made to the contrary.
	418	Unclear how DAPs will deal with any additional information that they require.	The revised framework allows DAPs to request additional information.
	353	Will the application lapse if further information is not satisfied within a certain time?	The framework does not specify. This will be resolved when detailed drafting commences.
	23, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 193, 207, 208, 209, 210, 214, 215, 216, 218, 221, 223, 224, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 257, 258, 259, 260, 261, 264, 265, 266, 267, 268, 270, 271, 273, 274, 275, 276, 277, 278, 279, 280, 282, 283, 284, 285, 286, 287, 288, 291, 292, 293, 295, 296, 298, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, 311, 312, 313, 314, 315, 317, 318, 322, 323, 325, 326, 327, 339, 340, 343, 344, 346, 348, 349, 350, 353, 359, 371, 378, 380, 394, 398, 415, 434, 448, 480, 488, 496, 517, 533.	Time delays associated with requests for additional information are the fault of developers and not planning authorities.	Agree that this is often the case.

353	Greater understanding of the Tasmanian Planning Scheme application requirements would improve response times for requests for additional information.	Noted.
366, 524	Request for further information section of the DAP framework could result in requests for peripheral or superfluous documents and reports that will slow down assessment .	The proposed framework does not alter the scope of what can be requested as additional information.
482	The current stop the clock requirements for requests for further information causes major delays in obtaining approval for social and affordable housing projects.	This is unavoidable. The decision maker must have the information it needs from the applicant to determine the application.
482, 524	The DAP framework fails to address time delays caused by requests for further information	As above, the decision maker must have all the relevant information it needs to undertake its assessment and determine the application.
194, 428, 441, 478, 511,	Support of the DAP framework proposed review of request for additional information.	Noted.
194, 428,	Support for requests for further information to be made at multiple times up to the DAP's hearing	This would be considered unreasonable to the applicant and would serve to frustrate streamlined assessment and approval processes.
194, 388	Suggest suspension of statutory time frame for determining development applications between 20 th Dec – 10 January.	Outside the scope of this project.
367, 376, 471,	Existing provisions around managing disputes over further information requests are sufficient and don't need to be duplicated by this framework.	Noted. With the revised framework now being coordinated by the DAP, it can manage any disputes over further information requests.
External referrals 116	Retain existing referral provisions under LUPAA to make sure DAP determined applications have input from regulatory authorities during the assessment process.	Supported.
353	Need to consider timeframes for referrals	Agree. Considered and modified accordingly
471	The framework does not adequately describe how the DAP process would align with referrals and approvals required under Acts outside of LUPA.	Noted and accepted that the proposed framework did not adequately specify how referrals and approvals under other Acts would align. The revised framework excludes applications that are subject to Environmental Protection Authority referral under the <i>Environmental Management and Pollution Control Act 1994</i> or subject to the <i>Cultural Heritage Act 1995</i>
3.5 Incorporating local knowledge into the DAP framework		
353, 388, 392, 428, 471, 535,	Support council maintaining carriage of pre-application, lodgement and validity checks, application review, request for information and preliminary assessment of development application.	Noted, however many did not support the planning authority undertaking these functions and not being the final decision maker. The revised framework has the DAP referring the application to the planning authority for advice on certain matters. The planning authority can make a representation and is a party to the process so will be involved in any hearings.
367, 459,	Support for locally held hearings.	Noted and supported.
351	In support of the planning authority's advisory role in the framework as it ensures local knowledge is included in the decision making process.	Noted and supported.

	55, 58, 76, 96, 162, 171, 191, 212, 290, 321, 341, 347, 352, 358, 362, 376, 389, 408, 410, 411, 424, 427, 507, 516.	The framework will allow developers to bypass councils and communities completely, creating no or limited avenue for community engagement.	The framework does not bypass Councils or communities. Councils provide input through advising the DAP, making a representation and participating in public hearings. The community's involvement occurs through the same consultation period as provided currently and participating in public hearings.
3.6 Timeframes for DAP framework processes			
	353, 459, 478, 517,	Exhibition should occur before Council makes its recommended decision.	The Position Paper framework was based on the 40T process whereby the recommendation report and any draft permit is advertised so all parties are privy to the information before it goes to the TPC (or DAP) for hearing and determination. This also allows the conditions to be reviewed by the applicant and any concerns aired at the hearing.
			The revised framework has the DAP exhibiting its draft report and recommended decision. This is an important process for natural justice, especially when, under the proposed framework, the DAP decision is not subject to appeal.
	511	DAP should undertake exhibition of application and not council.	The revised framework has the DAP undertaking exhibition of the application, referral advice, draft assessment report and any permit if the DAP is recommending approval.
	351, 461, 517, 524	Acknowledgment that the DAP framework including the merging of the advisory role of the planning authority, hearings to enable stakeholder to address the panel and DAP determination will take longer than the existing 42 days.	Noted, it is unavoidable that the DAP process will take longer than the existing 42 day statutory timeframe.
	351, 367, 462.	Difficulty for planning authority to refer a development application to a DAP in the 7 days provided in the proposed framework.	Noted. The revised framework provides for eligible applications to be lodged directly with the TPC/DAP removing the need for the planning authority to refer it to a DAP unless the planning authority agrees to the referral or is directed by the Minister to refer the application to the DAP..
	388, 461, 471, 478,	Clarification is required on many of the timeframes specified in the DAP framework and many of them are unreasonable.	Noted. The revised framework seeks to specify realistic timeframes.
	532	The practicalities of 7 day timeframe on referral decisions, will be heavily influenced by how any legislative instrument is drafted, as consideration needs to be given to issues of DAP appointments and provision of further information.	The decision to refer has been removed and replaced with an option for applications to be lodged directly with the TPC/DAP who then coordinates referral to entities and the planning authority and coordinates further information requests.
	532	The 35 day timeframe for a DAP to make decisions would be difficult to achieve given the time taken to arrange hearings.	Noted. The framework has been revised to allow the exhibition notice to include notification of a hearing date not less than 10 days from the close of exhibition.
	418, 428, 462, 471, 478, 522	Unrealistic timeframes for involvement of parties in hearings and decision processes.	The revised framework provides access to all application material, including representations, for a minimum of one week prior to the hearing. This is considered adequate time to prepare for the hearing.
	452	Suggests DAP referral request is made and processed prior to lodgement and therefore does not count toward the statutory timeframe.	The framework has been revised to make it clearer what applications are eligible for DAP determination.
	388, 461,	Restricting timeframes for assessment can lead to sub-optimal outcomes.	Noted however there also need to be some certainty for the timely delivery of an outcome for the applicant.

452	Suggest stop clock when request for DAP referral is being processed.	Agree and supported.
482, 511, 524,	Timeframes are too long and should be shortened.	The revised framework for social and affordable housing has been reduced by 7 days. Timeframes for other prescribed purposes are longer because of the breadth of applications allowed by the DAP criteria. Given the process removes appeal rights, it is an unrealistic expectation that the DAP assessment processes can be undertaken in a shorter timeframe while still achieving procedural fairness and allowing natural justice in the decision making process.
367, 459, 482	The process increases the assessment timeframe and therefore provides no benefit.	The purpose of the framework is not necessarily about speeding up the process but rather providing greater certainty in the outcome and that it will be delivered within a reasonable timeframe. However, for social housing projects, where there are examples of applications being rejected initially but approved on appeal, the DAP process will provide a much quicker outcome.
136	Proposed DAP framework duplicates the assessment process and requires council staff to undertake assessment within 21 days	The framework proposed 35 days for council to make a recommendation to the DAP.
353	The time taken for a DAP to determine that a referral is not valid should not count towards the s57 period.	The revised framework removes the duplication of assessments between the planning authority and DAP.
50	There should be longer timeframes for consultation on more complex development applications.	Noted, although the issue is now redundant as the framework has been modified.
353, 388, 461, 462,	Timeframes for council to undertake preliminary assessment are too short.	The consultation period is considered appropriate.
366	Are statutory assessment timeframes subject to 'stop the clock' associated with requests for further information?	The revised framework does not require the planning authority to undertake a preliminary assessment. The planning authority has 28 days from being referred the application to provide advice to the DAP.
3.7 Proposed removal of merit appeal for DAP determined development applications		
194, 198, 262, 353, 367, 391, 458, 459, 461, 476, 477, 487, 488,	DAP decisions should be subject to TasCAT appeals	Refer to section 4.4 of the Report on Consultation
1, 23, 37, 50, 55, 156, 162, 163, 198, 212, 333, 341, 364, 385, 408, 411, 424, 451, 461, 467, 502, 507,	Opposition to removal of merit appeals	Refer to section 4.4 of the Report on Consultation

	56,59, 60, 61, 62,63,64, 65, 66, 67, 68, 69, 70, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 101, 103, 105, 107, 108, 109, 110, 111, 112, 113, 115, 117, 118, 119, 120, 122, 123, 124, 125, 126, 128, 129, 130, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 164, 165, 167, 168, 169, 170, 190, 195, 197, 199, 200, 201, 202, 203, 204, 205, 206, 211, 213, 217, 219, 220, 222, 225, 263, 272, 281, 289, 294, 306, 316, 319, 320, 321, 324, 329, 330, 332, 334, 335, 336, 337, 338, 342, 345, 356, 357, 360, 361, 362, 363, 365, 368, 369, 370, 372, 373, 377, 379, 381, 383, 384, 387, 389, 390, 395, 399, 400, 401, 403, 404, 405, 406, 407, 409, 412, 413, 414, 416, 417, 419, 420, 421, 422, 423, 426, 429, 430, 431, 432, 433, 435, 436, 438, 440, 442, 443, 444, 445, 446, 450, 453, 454, 455, 457, 460, 466, 468, 469, 472, 473, 474, 475, 476, 479, 483, 484, 485, 486, 489, 490, 492, 494, 495, 496, 497, 498, 501, 503, 504, 505, 508, 509, 510, 512, 513, 514, 515, 518, 520, 523, 525, 526, 529, 530, 536, 537, 538, 539, 540.	Remove merit-based planning appeal rights via the planning tribunal on issues like height, bulk, scale or appearance of buildings; impacts to streetscapes, and adjoining properties including privacy and overlooking; traffic, noise, smell, light and other potential amenity impacts and so much more. Developments will only be appealable to the Supreme Court based on a point of law or process.	Refer to section 4.4 of the Report on Consultation
	198, 388, 458, 461, 462, 491.	DAP hearing is not equivalent to a merits review by TasCAT.	Refer to section 4.4 of the Report on Consultation
	198, 461	Under administrative law, it is impossible for a DAP to be both an original decision maker and to conduct a merit review of its own decision	Acknowledged however there are precedents set in other approval pathways under the Act, for example Major Projects and section 40T combined amendment and development application, which provide the same singular assessment process. While it is not a merit review of its own decision, the assessment process allows third parties be heard and participate. The DAP assessment process is still subject to judicial review to ensure that natural justice has been afforded to all parties.
476		NSW Independent Commission Against Corruption recommends expanding merit based planning appeals because they are: <ul style="list-style-type: none"> - An important check on executive government; - Third party appeal rights have the potential to deter corrupt approaches by minimising the chance that any favouritism sought will succeed; and The absence of third party appeals creates an opportunity for corrupt conduct to occur, as an important disincentive for corrupt decision-making is absent from the planning system.	While the NSW Independent Commission Against Corruption might have reached this conclusion, many of the planning decisions made in NSW still do not allow a merit appeal or do not allow third party appeals. The DAP does not propose that decisions will be made by executive government but by independent experts appointed by the independent Tasmanian Planning Commission.

	56,59, 60,61, 62,63,64, 65, 66, 67, 68, 69, 70, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 101, 103, 105, 107, 108, 109, 111, 113, 115, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 129, 130, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 164, 165, 167, 168, 169, 170, 190, 195, 197, 199, 200, 201, 202, 203, 204, 205, 206, 211, 213, 217, 219, 220, 222, 225, 263, 269,272, 281, 289, 294, 306, 316, 319, 320, 321, 324, 329, 330, 332, 334, 335, 336, 337, 338, 342, 345, 356, 357, 360, 361, 362, 365, 368, 369, 370, 372, 373, 377, 379, 381, 383, 384, 387, 389, 390, 395, 399, 400, 401, 403, 404, 405, 406, 407, 409, 412, 413, 414, 416, 417, 419, 421, 422, 423, 426, 429, 430, 431, 432, 433, 435, 436, 438, 440, 442, 443, 444, 445, 446, 450, 455, 457, 460, 466, 468, 469, 472, 473, 474, 475, 476, 483, 484, 485, 486, 489, 490, 492, 494, 495, 496, 497, 498, 501, 503, 504, 505, 508, 509, 510, 512, 513, 514, 515, 518, 520, 523, 525, 526, 527, 529, 530, 536, 537, 538, 539, 540,	Removing merits-based planning appeals has the potential to increase corruption and reduce good planning outcomes. The NSW Independent Commission Against Corruption recommended the expansion of merit-based planning appeals as a deterrent to corruption.	As above
	541	Removal of appeal pathways will heighten community suspicions and foster cynical attitudes to development proposals assessed under the DAP process.	This has not been the case for other assessment processes conducted by the TPC who's decisions are typically not subject to merit appeal.
	194, 428, 441, 511, 535	DAP decision should not be subject to TasCAT appeal where a public hearing process has occurred.	This was the position taken in the proposed framework similar to the Major Projects and combined amendment and development application pathways.
	482	Support for decisions not being subject to third party appeal rights however, the applicant should be able to appeal the decision of the DAP or any imposed conditions, to TasCAT.	Not supported as it unfairly favours the developer.
3.8 Roles of the planning authority post approval			
	50, 194, 376, 388, 428, 471, 477, 482, 488, 491, 511, 517, 532, 535	Administration and enforcement of DAP determined permits should be undertaken by the planning authority.	Noted. This is consistent with the proposed framework.
	351, 418,	Successful enforcement of DAP permits by the planning authority requires clear communication between DAP and planning authority.	Noted and agreed.
	353	Questions the value of 1 week delay to permit coming into effect if there is not right of appeal.	Supported. The framework has been modified to state that the permit becomes effective on the day it is issued.
	353	TPC's expertise does not include compliance considerations which presents issues of practicality and resourcing around enforcement	Noted, it is not the role of the TPC. The planning authority can alert the DAP to any compliance considerations during the assessment process and, where appropriate, advise the DAP on permit conditions.
	351, 367, 462, 478,	Risk of overburdening planning authorities with enforcing DAP permits.	The council would have to enforce the permit if it made the decision. Currently, the council has a legal obligation to enforce permits issued by TasCAT or by the TPC as part of a combined amendment and development application process or a Major Project assessment A council as the planning authority is better placed to enforce a planning permit irrespective of the assessment process it has resulted from.

452		Cost of compliance with a permit can be high and should not be borne by Council if they did not issue the permit. Compliance costs should be met by the developer.	As above, the council would have to enforce the permit if it made the decision. This is one of the roles of the planning authority.
418, 194, 353		DAP should be involved in amendments to permits.	The proposed framework allows council to determine minor amendments to DAP permits. By their very nature they are minor and there are clear criteria in the Act by which to assess them. There is no need to involve a DAP to determine a minor amendment.
			A more significant amendment would be treated as a new application and as such may meet the prescribed criteria to be assessed under the DAP process.
50, 376, 388, 471, 461,		Requests for minor amendments to DAP determined permits should be processed by the planning authority	Supported.
3.9 Resourcing issues and development application fees for DAP pathway			
194		Council should be able to charge fees for applications	Supported. Fees will be prescribed in regulations.
353, 367, 471, 478,		DAP applications would take additional time to consider, process and attend hearings. Additional workload for Council.	The revised framework removes the assessment function from the planning authority but retains certain involvement. The workload on a council is anticipated to be less than conducting a full assessment and participating in any further appeal to TasCAT.
452		What viable fee structures, such as a cost recovery model similar to the EPA, could be used, particularly if DAPs rely heavily on existing resources as appears to be intended.	The framework has been revised to reduce the pressure on council. The DAP will refer the application to the planning authority who is only required to comment on how the application impacts its infrastructure and any other matters it may wish to raise.
			The framework proposes that fees will be prescribed. Further consultation will be undertaken to determine what those fees will be.
353, 471, 531, 534		DAP hearings would increase workload of council officers	The full assessment of the application is now undertaken by the DAP. The planning authority is only required to advise on the impact of the application on council's infrastructure, thereby limiting the workload to only those matters. Planning authorities can comment on other matters as they see fit.
482, 524, 531, 534		The framework does not address the resourcing issues in councils and places further strain on the limited pool of planning professionals by requiring planners to conduct assessments during both phases of the process.	The revised framework removes the requirement for council officers to undertake the assessment and any future involvement in an appeal to TasCAT. The process reduces the load on expert planners by consolidating all input into a single process and hearing.
452		Where will the planning resources come from given the shortage of qualified planners?	The planning system will not require more planners to operate the proposed framework. See previous comment.
534, 541		Government resources would be better spent addressing other issues in the planning system.	The Government considers that addressing planning issues connected with housing supply is a priority.
428, 461, 471, 531		There is a lack of clarity around the DAP framework including the potential additional costs to council	Noted however the framework presented in the Position Paper was intended to provoke discussion. The revised framework has tried to limit additional costs to councils.

482	Social and affordable housing applications should be exempt from DAP processing fees.	For equity reasons this is not supported. The framework proposes that fees will be prescribed. Further consultation will be undertaken to determine what those fees will be.
3.10 Issues associated with the composition of DAP and		
353, 418	If panels are to prepare permits then they will require contemporary statutory experience.	Agree. The TPC will consider this when they establish DAPs. The TPC's list of delegates is maintained to reflect the range of work that the legislative framework requires of it and can be expanded to include additional experienced council planners.
461	Planning authority should be represented on the DAP.	The framework does not specifically exclude a member of a planning authority being part of a DAP but inclusion of an elected councillor would not be in line with the DAP proposal to separate local politics from planning decisions. The TPC may consider appointing a council planner when they establish a DAP.
391	The DAP must be comprised of planning experts and representative of the community	The framework relies on the establishment of panels through the TPC's delegation processes. The framework does not propose to interfere or specify the types of expertise needed in a panel because the TPC will determine that on a case-by-case basis. The DAP process is based on independent experts assessing a proposal not representatives of certain communities. This is the same basis as TasCAT determinations of appeals.
262	Lack of detail in the Position Paper on what level of expertise the DAP will have.	As above – the framework leaves that to the TPC to determine consistent with how it establishes panels to perform other functions under the Act.
396	DAP membership should include a heritage expert.	The TPC may wish to include a heritage expert on the DAP if an application involves heritage issues.
366	How is the DAP formed and with what expertise?	As above, the DAP is established by the TPC considering the expertise that is relevant to the particular development application being assessed.
418	Greater representation of local and regional expertise is required in the reporting and membership of the DAP.	As above – the TPC will determine the range of expertise of the panel in response to the nature of the matter being determined.
353	Queries appropriateness of pre-lodgement discussions with the TPC regarding DAP referral.	The proposed framework does not propose pre-lodgement discussion regarding DAP referral with the TPC. Any such discussions would be at the discretion of the TPC which has established procedures for managing potential for bias or conflict of interest, its anticipated that it would confine discussions to matters of process.
		Pre lodgement discussions with the council are encouraged to understand the planning issues as set out in the planning scheme.
136, 163	Questions whether the TPC has the technical expertise or resources to undertake assessment.	The TPC has access to a wide range of delegates and planning advisers with the necessary technical expertise.

	198, 212, 333, 341, 347, 352, 355, 362, 364, 385, 389, 397, 408, 424, 451, 458, 477, 481, 487, 488,	Fears TPC delegates are not independent from government.	The TPC is an independent statutory authority that performs numerous roles and functions under the RMPS. The Minister does not appoint the delegates that the TPC appoints to its register or those selected for any specific assessment.
	354, 408, 424, 427, 439, 451, 465, 512, 527	The DAP framework will increase the public perception that decisions are being made by panel members chosen by government.	The TPC is an independent statutory authority that performs numerous roles and functions under the RMPS. The Minister does not appoint the delegates that the TPC appoints to its register or those selected for any specific assessment.
	376, 507,	TPC should appoint panel without political interference.	Agreed. The TPC does appoint panel members, and performs all its other functions, free from political interference.
	452	Will a DAP be part of the TPC, TASCAT, agency or independent statutory authority?	The DAP will be appointed by the TPC as is the case for all the TPC assessments.
	56,59, 60, 61,62,63,64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 101, 103, 105, 107, 108, 109, 111, 113, 115, 117, 118, 119, 120, 122, 123, 124, 125, 126, 129, 130, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 164, 165, 166, 167, 168, 169, 170, 190, 195, 197, 199, 200, 201, 202, 203, 204, 205, 206, 211, 213, 217, 219, 220, 222, 225, 256, 263, 272, 289, 294, 306, 316, 319, 320, 321, 324, 329, 330, 332, 334, 335, 336, 337, 338, 342, 345, 352, 356, 360, 361, 362, 365, 368, 369, 370, 372, 373, 377, 379, 381, 383, 384, 387, 389, 390, 395, 399, 400, 401, 403, 404, 405, 406, 407, 409, 412, 413, 414, 416, 417, 419, 421, 422, 423, 425, 426, 429, 430, 431, 432, 433, 435, 436, 438, 440, 442, 443, 444, 445, 446, 450, 455, 456, 457, 460, 465, 466, 468, 469, 472, 473, 474, 475, 476, 479, 483, 484, 485, 486, 489, 490, 492, 494, 495, 497, 498, 501, 503, 505, 509, 510, 512, 513, 514, 515, 518, 520, 523, 526, 529, 530, 536, 537, 538, 539, 540,	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.	NSW has different system for the appointment of panels. See previous comments about the TPC delegates.
4. Proposed Ministerial role to direct LPS amendment and general intervention in planning			
	5,6, 7,8,12,14,15, 16, 17, 19, 23, 27, 28, 31, 33, 35, 37, 41, 44, 45, 50, 51, 53,54, 57, 104, 106, 156, 162, 163, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 193, 207, 208, 209, 210, 214, 215, 216, 218, 221, 223, 224, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 257, 258, 259, 260, 261, 264, 265, 266, 267, 268, 270, 271, 273, 274, 275, 276, 277, 278, 279, 280, 282, 283, 284, 285, 286, 287, 288, 291, 292, 293, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 307, 308, 309, 310, 311, 312, 313, 314, 315, 317, 318, 322, 323, 325, 326, 327, 333, 339, 340, 341, 343, 344, 346, 348, 349, 350, 359, 367, 378, 380, 394, 398, 410, 415, 418, 434, 439, 448, 471, 480, 488, 519, 533, 534, 136, 163, 376, 439, 459, 461, 462, 463, 477, 491, 517,	The Minister should not have additional power to modify the local planning scheme.	The Position Paper did not suggest that the Minister would have the power to modify local planning schemes. For further discussion on this matter refer to section 5 of the Report on Consultation.

	56,59, 60, 61, 62,63,64, 65, 66, 67, 68, 69, 70, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 101, 103, 105, 107, 108, 109, 110, 111, 115, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 128, 129, 130, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 164, 165, 167, 168, 169, 170, 190, 195, 197, 199, 200, 201, 202, 203, 204, 205, 206, 211, 213, 217, 219, 220, 222, 225, 263, 269, 272, 289, 294, 306, 316, 319, 320, 321, 324, 329, 330, 332, 334, 335, 336, 337, 338, 342, 345, 356, 357, 360, 361, 362, 363, 365, 368, 369, 370, 372, 373, 377, 379, 381, 383, 384, 387, 389, 390, 395, 399, 400, 401, 403, 404, 405, 406, 407, 409, 412, 413, 414, 416, 417, 419, 421, 422, 423, 426, 429, 430, 431, 432, 433, 435, 436, 438, 440, 442, 443, 444, 445, 446, 450, 453, 454, 455, 457, 460, 468, 469, 472, 473, 474, 475, 476, 479, 483, 484, 485, 489, 490, 492, 494, 495, 497, 498, 501, 502, 503, 505, 508, 509, 510, 512, 513, 514, 515, 518, 520, 523, 525, 526, 529, 530, 536, 537, 538, 539, 540,	Increased ministerial power over the planning system increases the politicisation of planning and risk of corrupt decisions. The Planning Minister will decide if a development application meets the planning panel criteria. The Minister will be able to force the initiation of planning scheme changes, but perversely, only when a local council has rejected such an application, threatening transparency and strategic planning.	As above – The model proposes that Ministerial intervention can only occur when the TPC's review has determined to direct Council to reconsider its rejection of the application to amend the planning scheme. The proposed Ministerial direction is only that the Council should commence the assessment process by the TPC preparing a draft amendment that is then assessed by the TPC including public exhibition. The Minister has no involvement in the assessment and determination and simply allows a proposal to be considered by the public and the independent TPC For further discussion on this matter refer to section 5 of the Report on Consultation.
198	Ministerial power to override council rejection of a rezoning application based on a finding of Council bias could be procedurally unfair.	The model proposes that Ministerial intervention can only occur when the TPC's review has determined to direct Council to reconsider its rejection of the application to amend the planning scheme. Council has the opportunity to review its decision before the Minister can intervene, allowing procedural fairness. The TPC provides an independent review of Council's decision and the Minister must consider that review in determining to direct that the amendment be assessed. The Minister also provides council with the opportunity to provide reasons why the Minister should not direct it to prepare a draft amendment for assessment by the TPC.	
353	Only in support of Ministerial direction to prepare a draft amendment to an LPS if it is demonstrated that the planning authority made an error of judgment and the LPS criteria can be met.	Noted and agreed.	
194, 428, 449, 478, 535	Support Minister directing planning authority to prepare a draft amendment to their LPS in some circumstances.	Noted and agreed.	
461	Where the Minister has required the planning authority to initiate an amendment, the State or Minister must be responsible for processing and assessment of the amendment.	The assessment and determination of a draft amendment to a local planning scheme is always undertaken by the TPC. The Minister's role is simply to overcome the block where a council determines not to start an amendment process.	
471	Suggestion that the Act could be amended to allow for the TPC do undertake a merit review of council's decision in not initiating an amendment to their LPS and direct Council to commence the amendment process.	The Act does allow for the TPC to review a council's decision but that is not a full merit review and there is no power to direct it to prepare an amendment where the TPC has directed reconsideration of the draft amendment. The proposed legislative amendment provides for this process. It is more appropriate for the Minister to initiate the process than the TPC because it might pre-empt a proper merit review by the TPC later.	
428, 531, 535,	Support Ministerial direction where the TPC has reviewed the Council's decision and determined an error has been made.	Noted and agreed.	

5. Other issues raised			
382.		State Government is undertaking concurrent policy reviews and introducing planning reform. Fear that these projects are being done in isolation from each other resulting in inconsistent approaches being developed.	Noted that there are concurrent planning reforms and reviews being undertaken in the planning system. The proposal utilises existing processes and bodies rather than creating new ones. It is consistent with other DAP processes that the TPC administers.
56,59, 60, 61, 62,63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 101, 103, 105, 107, 108, 109, 112, 113, 115, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 129, 130, 131, 132, 133, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 155, 157, 158, 159, 160, 161, 164, 165, 167, 168, 169, 170, 190, 195, 197, 199, 200, 201, 202, 203, 204, 205, 206, 211, 213, 217, 219, 220, 222, 225, 256, 263, 272, 289, 294, 306, 313, 316, 319, 320, 321, 324, 329, 330, 334, 335,336, 337, 338, 342, 345, 352, 356, 360, 361, 362, 365, 368, 369, 370, 372, 373, 377, 379, 381, 383, 384, 386, 387, 390, 395, 399, 400, 401, 403, 404, 405, 406, 407, 409, 411, 412, 413, 414, 416, 417, 419, 422, 423, 425, 426, 429, 430, 431, 432, 433, 435, 436, 438, 440, 442, 443, 444, 445, 446, 450, 451, 453, 455, 460, 468, 472, 473, 474, 475, 476, 483, 484, 485, 486, 489, 490, 492, 493, 494, 495, 497, 498, 501, 503, 505, 509, 510, 512, 513, 514, 515, 518, 520, 523, 525, 526, 529, 530, 536, 537, 538, 539, 540.	prohibit property developers from making donations to political parties, enhance transparency and efficiency in the administration of the <i>Right to Information Act 2009</i> , and create a strong anti-corruption watchdog.	Outside the scope of the project. As the Minister does not have any powers to approve or reject either a development or a scheme amendment, there is no capacity for decisions to be influenced by political donations. The DAP proposal removes decisions from elected councillors who can be subject to conflicts of interest.	



Tasmanian
Government

Department of Premier and Cabinet
State Planning Office

Phone:
1300 703 977

Email:
stateplanning@dpac.tas.gov.au

www.stateplanning.tas.gov.au

Drafted in the Office of
Parliamentary Counsel

TASMANIA

**LAND USE PLANNING AND APPROVALS
AMENDMENT (DEVELOPMENT ASSESSMENT
PANELS) BILL 2024**

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Consultation Draft
3 October 2024

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**LAND USE PLANNING AND APPROVALS
AMENDMENT (DEVELOPMENT ASSESSMENT
PANELS) BILL 2024**

*(Brought in by the Minister for Housing and Planning, the
Honourable Felix Ashton Ellis)*

A BILL FOR

An Act to amend the *Land Use Planning and Approvals Act 1993* and to consequentially amend the *Historic Cultural Heritage Act 1995*

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Land Use Planning and Approvals Amendment (Development Assessment Panels) Act 2024*.

2. Commencement

The provisions of this Act commence on a day or days to be proclaimed.

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Part 1 – Preliminary

3. Repeal of Act

This Act is repealed on the first anniversary of the day on which the last uncommenced provision of this Act commenced.

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**PART 2 – LAND USE PLANNING AND APPROVALS
ACT 1993 AMENDED**

4. Principal Act

In this Part, the *Land Use Planning and Approvals Act 1993** is referred to as the Principal Act.

5. Section 3 amended (Interpretation)

Section 3(1) of the Principal Act is amended by omitting the definition of *discretionary permit* and substituting the following definition:

discretionary permit means a permit to which –

- (a) section 57 applies or to which, but for section 40Y(5), section 57 would apply; or
- (b) Division 2AA of Part 4 applies;

6. Section 40BA inserted

After section 40B of the Principal Act, the following section is inserted in Division 2:

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40BA. Minister may review certain decisions

- (1) If a person has received notice from the planning authority under section 40B(6)(b) that the planning authority does not intend to prepare a draft amendment to the LPS, the person may apply to the Minister for a review of that decision of the planning authority (the *reviewable decision*).
- (2) An application to the Minister under subsection (1), in respect of a reviewable decision –
 - (a) is to be in a form approved by the Minister; and
 - (b) is to contain the information prescribed for the purposes of the application; and
 - (c) is to include a copy of the following documents:
 - (i) the notification given by the planning authority under section 40B(6)(b) in respect of the reviewable decision;
 - (ii) the notice of the Commission given to the applicant under section 40B(5) in respect

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-
- of the reviewable
decision;
- (iii) the notice under
section 38(3) to which the
reviewable decision
relates;
- (iv) the request under
section 37(1) to which the
reviewable decision
relates;
- (v) any other prescribed
document.
- (3) If an application is made to the Minister
under subsection (1), in respect of a
reviewable decision –
- (a) the Minister is to provide a copy
of the application to the relevant
planning authority and the
Commission; and
- (b) within 7 days after receiving the
copy of the application –
- (i) the relevant planning
authority is to provide the
Minister with its reasons
for making the decision
under section 40B(6) in
respect of the reviewable
decision and its opinion,
in writing, of the merits of

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- the reviewable decision;
and
 - (ii) the Commission may provide the Minister, in writing, with any further information that the Commission considers relevant in respect of the reviewable decision.
- (4) After receiving an application under subsection (1) and reviewing the information provided in respect of the application under subsection (3), the Minister may –
- (a) in accordance with section 40C, direct the relevant planning authority to prepare a draft amendment on an LPS in relation to the request made under section 37(1) to which the relevant reviewable decision relates; or
 - (b) refuse to take any action in respect of the application.
- (5) The Minister may only make a decision under subsection (4)(a) if, in the opinion of the Minister, the draft amendment meets the LPS criteria.
- (6) As soon as practicable after making a decision under subsection (4) in respect

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of an application, the Minister is to give written notice of the decision, and the reasons for the decision, to the relevant planning authority, the Commission and the applicant.

- (7) For the avoidance of doubt, an application may be made under this section in respect of a request under section 40B(1), whether or not an application has also been made under section 40T(1) that relates to the request.

7. Section 40C amended (Direction to prepare draft amendments of LPS)

Section 40C(1) of the Principal Act is amended by inserting after paragraph (d) the following paragraph:

- (da) to implement a decision of the Minister under section 40BA(4) to prepare a draft amendment;

8. Part 4, Division 2AA inserted

After section 60A of the Principal Act, the following Division is inserted in Part 4:

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Part 2 – Land Use Planning and Approvals Act 1993 Amended

Division 2AA – Development Assessment Panels
Subdivision 1 – General

60AA. Interpretation of Division

In this Division –

Assessment Panel, in relation to an application under this Division, means the Development Assessment Panel that is established, in respect of the application, by the Commission under section 60AD or 60AP;

city has the same meaning as in section 16A of the *Local Government Act 1993*;

exhibition period, in relation to an application under this Division, means the 14-day period commencing on the day specified in the notice published under section 60AG(1)(b) in respect of the application;

Homes Tasmania has the same meaning as in the *Homes Tasmania Act 2022*;

party, in relation to an application for a discretionary permit, includes –

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- (a) the proponent for the development to which the application relates; and
- (b) the relevant planning authority;

reviewing entity, in relation to an application, includes –

- (a) the planning authority for each relevant municipal area to which the application relates; and
- (b) the Heritage Council, within the meaning of the *Historic Cultural Heritage Act 1995*, if the application relates to a development that includes heritage works within the meaning of Part 6 of that Act; and
- (c) the relevant regulated entity, within the meaning of Division 2A; and
- (d) a pipeline licensee, within the meaning of Division 2A, if the application relates to land that is wholly or partly within a gas infrastructure planning corridor within

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the meaning of the *Gas
Industry Act 2019*.

***Subdivision 2 – Certain new applications may be
determined by Assessment Panel***

**60AB. Certain new permit applications may be
made to Commission**

- (1) A person may apply to the Commission for an application for a discretionary permit to be determined by an Assessment Panel if –
- (a) the application is endorsed by Homes Tasmania as including –
 - (i) social or affordable housing; or
 - (ii) a subdivision, within the meaning of Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, for the purposes of social or affordable housing; or
 - (b) the application relates to a development that is valued in excess of –
 - (i) \$10 000 000 or such other amount as may be

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prescribed – if all, or any
part, of the development
is to be located in a city;
or

(ii) \$5 000 000 or such other
amount as may be
prescribed – in any other
case; or

(c) the council is both parties in
relation to the application, and the
application relates to a
development that is valued in
excess of \$1 000 000 or such
other amount as may be
prescribed; or

(d) the application falls within a class
of applications prescribed for the
purpose of this section.

(2) An application under subsection (1) –

(a) may only be made by –

(i) the applicant for the
discretionary permit; or

(ii) the relevant planning
authority, with the
consent of the applicant
for the discretionary
permit; and

(b) is to –

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- (i) be in a form approved by the Commission; and
 - (ii) contain the prescribed information; and
 - (iii) be accompanied by evidence that the application meets one or more of the requirements specified in subsection (1); and
 - (c) must be accompanied by a written copy of the endorsement by Homes Tasmania, in a form approved by the Commission, if the application is made under subsection (1)(a).
- (3) An application may not be made under subsection (1) if the application is an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies.
- (4) If the Commission requires further information in respect of whether an application falls under subsection (3), the Commission may seek further information from the Board, within the meaning of the *Environmental Management and Pollution Control Act 1994*.

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- (5) Within 7 days after receiving an application under this section, the Commission is to do one or more of the following:
- (a) request further information from either party to the application;
 - (b) return the application to the applicant if, in the opinion of the Commission –
 - (i) the application is an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies; or
 - (ii) the purported application does not meet the requirements for an application under this section;
 - (c) establish an Assessment Panel under section 60AD in respect of the application.

60AC. Minister may refer certain new permit applications to Commission

- (1) A party to an application for a discretionary permit may request that the

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Minister direct the Commission to establish an Assessment Panel in respect of the application if –

- (a) the application relates to a development that may be considered significant, or important, to –
 - (i) the area in which the development is to be located; or
 - (ii) the State; or
- (b) either party to the application believes that the planning authority does not have the technical expertise to assess the application; or
- (c) the application relates to a development that is, or is likely to be, controversial; or
- (d) the relevant planning authority may have, in respect of the proponent or development –
 - (i) a conflict of interest or a perceived conflict of interest; or
 - (ii) a real or perceived bias, whether for or against the

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proponent or
development; or

- (e) the application falls within a class of applications prescribed for the purpose of this section.
- (2) An application for a discretionary permit, that is the subject of a request under subsection (1) –
- (a) is to be in a form approved by the Commission; and
 - (b) must include a statement as to why the party to the application is making the request that the Minister refer the application to the Commission; and
 - (c) must be accompanied by evidence that the application meets one or more of the requirements specified in subsection (1); and
 - (d) contain the prescribed information.
- (3) If the Minister receives a request under subsection (1) in relation to an application for a discretionary permit that is only made by one party to the application, the Minister is to ensure that the other party to the application is –

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- (a) notified of the request and has a copy of the application; and
 - (b) notified that the party has a right to respond to the Minister, in respect of the request, within 7 days after the Minister receives the request.
- (4) The Minister may refer an application for a discretionary permit to the Commission if, in the opinion of the Minister –
 - (a) the application meets one or more of the requirements specified in subsection (1); and
 - (b) the application is not an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies.
- (5) The Minister may refuse to refer an application for a discretionary permit to the Commission, under this section, for any reason.
- (6) Within 7 days after receiving an application referred by the Minister under this section, the Commission may –
 - (a) return the application to the applicant if, in the opinion of the Commission –

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- (i) the application is an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies; or
 - (ii) the purported application does not meet the administrative requirements for an application under this section; or
- (b) establish an Assessment Panel under section 60AD in respect of the application.

60AD. Commission to establish Assessment Panel

- (1) The Commission is to establish an Assessment Panel to undertake an assessment of an application made under section 60AB, or an application referred to the Commission under section 60AC, if the Commission is satisfied that –
- (a) the application is not an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies; and

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- (b) the application meets the relevant requirements of this Division.
- (2) If an Assessment Panel is established under this section in respect of an application, the *Historic Cultural Heritage Act 1995* does not apply in respect of the assessment of the application under this Division.

***Subdivision 3 – Assessment of new application by
Assessment Panel***

60AE. Applications for permits to be provided to reviewing entities

- (1) As soon as practical after the Commission establishes an Assessment Panel under section 60AD in respect of an application, the Assessment Panel is to provide a copy of the application to each reviewing entity for that application.
- (2) Within 28 days after being provided a copy of an application under subsection (1) –
 - (a) each planning authority must provide, to the Assessment Panel, advice relating to the application on the following matters:
 - (i) any matters that the planning authority would

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consider, in respect of the application, under the *Local Government (Building and Miscellaneous Provisions) Act 1993*;

- (ii) issues and concerns that the planning authority has in respect of the matter to which the application relates including, but not limited to, engineering concerns or the impacts on assets or infrastructure owned or operated by the planning authority;
 - (iii) suggested terms and conditions that should be imposed on a permit if it is granted under the application and the reasons for those terms and conditions;
 - (iv) any other matter that the planning authority considers relevant to the application; and
- (b) each other reviewing entity for the application is to provide, to the Assessment Panel, advice relating to the application on any

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matter that the reviewing entity considers relevant to the application.

60AF. Additional information may be required

- (1) Within 14 days after receiving a copy of an application under section 60AE(1), a reviewing entity may make a request to the Assessment Panel for further information in respect of the application to enable the reviewing entity to provide advice on the application under section 60AE.
- (2) A planning authority may only request further information under subsection (1) in relation to the following matters:
 - (a) for the purpose of determining the impact of the use and development on the infrastructure of the council in the relevant municipal area if the application were to be approved and the permit issued;
 - (b) to assist in the preparation of recommended conditions to be imposed on the permit in respect of the impact of the use and development on the infrastructure of the council;

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- (c) any matters that the planning authority is entitled to consider, in respect of the application, under the *Local Government (Building and Miscellaneous Provisions) Act 1993*.
- (3) If a reviewing entity makes a request for further information under subsection (1) in respect of an application, the Assessment Panel may notify the reviewing entity, in writing –
- (a) that the Assessment Panel believes that the requested information is not relevant to the application; and
 - (b) the reasons for that belief; and
 - (c) that the requested information is no longer considered information requested under this section.
- (4) Within 14 days after providing copies of an application under section 60AE(1), the Assessment Panel may request further information in respect of an application by written notice to the applicant.
- (5) At the expiry of 14 days after providing copies of an application under section 60AE(1), the Assessment Panel is to –

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- (a) make a request, in writing, that the applicant provide the further information requested under subsections (1) and (4) in respect of the application as the Assessment Panel is satisfied –
 - (i) that the information is relevant to the application; and
 - (ii) that the Assessment Panel does not already have the information; and
 - (b) send a copy of the written request to the reviewing entities for the application.
- (6) If an applicant provides further information to the Assessment Panel as the result of a request made under subsection (5) –
- (a) the Assessment Panel is to provide a copy of the further information to all the reviewing entities for the application; and
 - (b) each reviewing entity is to notify the Assessment Panel if –
 - (i) the reviewing entity is satisfied that the additional information

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- provided meets the requests so made; or
- (ii) in the opinion of the reviewing entity, further information was requested and has not been provided by the applicant.
- (7) Within 7 days after receiving further information as a result of a request under subsection (5), the Assessment Panel must –
- (a) determine that –
- (i) all further information so requested has been provided by the applicant; or
- (ii) the applicant has provided all the further information so requested that is reasonably able to be provided by the applicant; or
- (b) notify the applicant that the Assessment Panel is not satisfied that the applicant has complied with all requests under subsection (5) in respect of the application.

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- (8) If an Assessment Panel makes a request to an applicant under subsection (5) for further information, all relevant time periods under this Act do not run in respect of the application until, in the opinion of the Assessment Panel, all requests for further information have been answered.

60AG. Exhibition of applications

- (1) Within 14 days after the expiry of the period specified in section 60AE(2) in respect of an application, the Assessment Panel is to –
- (a) prepare a draft assessment report in relation to the application; and
 - (b) ensure that an exhibition notice is published that specifies, in relation to the documents and information specified in paragraph (d) –
 - (i) the day on which the exhibition of the documents and information is to commence; and
 - (ii) that the documents and information are or will be available for viewing by the public during the

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- exhibition period at the premises specified in the notice; and
- (iii) that the documents and information may be downloaded by the public from the website specified in the notice; and
- (c) provide a copy of a notice under paragraph (b) to all property owners who own land adjoining the land to which the application relates; and
- (d) exhibit the following documents and information, in respect of the application, in accordance with the exhibition notice published under paragraph (b):
- (i) the application;
 - (ii) each document, or piece of information, provided by a reviewing entity under section 60AE in respect of the application;
 - (iii) any further information provided by the applicant under this Act, including information provided under section 54, in

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- accordance with
section 60AF;
- (iv) the draft assessment report;
 - (v) if the draft assessment report recommends that a permit be granted, a draft permit, including each proposed condition to be imposed in respect of the permit;
 - (vi) the date on which a hearing under section 60AH may be held in respect of the application, being a date that is not less than 10 days after the close of the exhibition;
 - (vii) a statement that the hearing may be cancelled in accordance with section 60AI.
- (2) An exhibition under subsection (1)(d) is to be held for a period of 14 days from the day specified in the notice published under subsection (1)(b), excluding any days on which the premises, where the exhibition is occurring, are closed to the public during normal business hours.

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- (3) A person may make such comments, and provide feedback, to the Assessment Panel in respect of an application during the exhibition period for the application.

60AH. Hearings in respect of applications

- (1) The Assessment Panel is to hold a hearing in respect of an application, as specified in the information published under section 60AG(1)(b) in respect of the application, except where the hearing is cancelled under section 60AI.
- (2) A hearing under this section, in respect of an application, is to be open to –
 - (a) each party to the application; and
 - (b) each reviewing entity; and
 - (c) all persons who made a representation in respect of the application.
- (3) Within 28 days after the close of the exhibition period in respect of an application and after the hearing held under this section in respect of the application, if any, the Assessment Panel must –
 - (a) refuse the application and notify the following persons of that decision:

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- (i) each party to the application;
 - (ii) each reviewing entity for the application;
 - (iii) each person who made a representation in respect of the application; or
- (b) approve the application and subsequently –
 - (i) notify the following persons of that decision:
 - (A) each party to the application;
 - (B) each reviewing entity for the application;
 - (C) each person who made a representation in respect of the application; and
 - (ii) direct the relevant planning authority to issue a permit as specified by the Assessment Panel in the direction.

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- (4) If an Assessment Panel needs an extension of the period specified in subsection (3), the Assessment Panel may make a request to the Minister that the period be extended in accordance with subsection (5).
- (5) At the request of the Assessment Panel under subsection (4), the Minister may agree to one extension, of not more than 21 days, of the period specified in subsection (3) if the Minister considers the extension reasonable in the circumstances.
- (6) Subsections (4) and (5) do not apply to an Assessment Panel if –
- (a) the Assessment Panel has been established in respect of an application that is not an application under section 60AB(1)(a) which is endorsed by Homes Tasmania in accordance with that section; and
 - (b) the Assessment Panel and the applicant agree to –
 - (i) an extension of the period specified in subsection (3) in respect of an application; and
 - (ii) the duration of that extension.

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(7) If an extension is granted under subsection (5) or agreed under subsection (6) in respect of an application, the Assessment Panel is to notify the following persons that the extension has been granted, or agreed, and the duration of that extension:

- (a) each party to the application;
- (b) each reviewing entity for the application;
- (c) each person who made a representation in respect of the application.

60AI. Hearing may be cancelled in certain circumstances

(1) The Assessment Panel for an application under this Division may cancel a proposed hearing to be held under section 60AH in respect of the application if –

- (a) during the assessment of the application, no reviewing entity requested that a hearing be held, under section 60AH, in respect of the application; and
- (b) during the exhibition period for the application –

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-
- (i) no representations were made in respect of the application; or
 - (ii) the representations that were made in respect of the application were in support of the application or specified that the person making the representation does not wish to be heard at a hearing under section 60AH.
 - (2) If a hearing in respect of an application is cancelled under subsection (1), the Assessment Panel may direct the relevant planning authority to issue a permit in accordance with the draft assessment report prepared under this Division in respect of the application.
 - (3) If the Assessment Panel cancels a hearing under subsection (1) in respect of an application, the Assessment Panel is to give written notice that –
 - (a) the hearing is not to be held, under section 60AH, in respect of the application; and
 - (b) the relevant planning authority has been directed to issue a

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permit in respect of the
application.

- (4) A written notice under subsection (3) that relates to the cancellation of a hearing in respect of an application must be given to –
- (a) each party to the application; and
 - (b) each reviewing entity for the application; and
 - (c) each person who made a representation in respect of the application.
- (5) For the avoidance of doubt, nothing in this section requires the Assessment Panel to cancel a hearing under subsection (1).

60AJ. Frivolous or vexatious representations

If, in the opinion of the Assessment Panel for an application, a representation that is frivolous, or vexatious, has been made during the exhibition period for the application –

- (a) as soon as practical after forming the opinion, the Assessment Panel is to notify the person who made the representation –

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- (i) that the Assessment Panel is of the opinion that the representation is frivolous or vexatious; and
- (ii) the grounds on which the Assessment Panel has formed that opinion; and
- (b) the representation is not a representation for the purposes of this Subdivision.

Subdivision 4 – Certain existing applications may be referred to Assessment Panel

60AK. Interpretation of Subdivision

In this Subdivision –

permit application, in relation to a transfer application, means the application for a discretionary permit that is the subject of –

- (a) an application to the Commission under section 60AL; or
- (b) a request to the Minister under section 60AM;

transfer application means an application to the Commission under section 60AL, or a request to the Minister under

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section 60AM, for an application for a discretionary permit to be determined by an Assessment Panel.

60AL. Certain permit applications may be transferred to Assessment Panel

- (1) A party to a permit application that is already being considered under this Act by the relevant planning authority, may apply to the Commission for the permit application to be determined by an Assessment Panel if –
- (a) the permit application relates to a development that is valued in excess of –
 - (i) \$10 000 000 or such other amount as may be prescribed – if all, or any part, of the development is to be located in a city; or
 - (ii) \$5 000 000 or such other amount as may be prescribed – in any other case; or
 - (b) the council is both parties in relation to the permit application and the application relates to a development that is valued in

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excess of \$1 000 000 or such
other amount as may be
prescribed; or

- (c) the application falls within a class
of applications prescribed for the
purpose of this section.

- (2) A transfer application under
subsection (1) –

- (a) may only be made by –

- (i) the applicant for the
discretionary permit; or

- (ii) the relevant planning
authority in respect of the
permit application, with
the consent of the
applicant for the
discretionary permit; and

- (b) is to –

- (i) be in a form approved by
the Commission; and

- (ii) contain the prescribed
information; and

- (c) must be accompanied by –

- (i) the permit application to
which the transfer
application relates; and

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- (ii) evidence that the permit application meets one or more of the requirements specified in subsection (1); and
- (d) must be accompanied by each of the following, if in existence:
 - (i) each document, or piece of information, provided under this Act in respect of the permit application;
 - (ii) any further information provided by the applicant under this Act, including information provided under section 54, in respect of the permit application;
 - (iii) if the transfer application is made by the planning authority, a statement that details the assessment process that has been undertaken under this Act by the planning authority in respect of the permit application;
 - (iv) all correspondence that has occurred between the applicant and the relevant

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planning authority in
respect of the permit
application.

- (3) A transfer application may not be made under subsection (1) if the relevant permit application is an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies.
- (4) If the Commission requires further information in respect of whether a permit application falls under subsection (3), the Commission may seek further information from the Board, within the meaning of the *Environmental Management and Pollution Control Act 1994*.
- (5) Within 7 days after receiving a transfer application under this section, the Commission is to do one or more of the following:
- (a) request further information from a party to the permit application;
 - (b) return the purported application to the applicant if, in the opinion of the Commission, the purported application –
 - (i) is an application to which section 25 of the *Environmental*

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*Management and
Pollution Control Act
1994 applies; or*

- (ii) does not meet the requirements for an application under this section; or
- (c) notify the applicant of the determination made by the Commission, under section 60AO, in respect of the permit application.

60AM. Minister may refer certain existing permit applications to Commission

- (1) A party to a permit application that is already being considered under this Act by a planning authority, may request that the Minister direct the Commission to establish an Assessment Panel in respect of the permit application if –
 - (a) the permit application relates to a development that may be considered significant, or important, to –
 - (i) the area in which the development is to be located; or
 - (ii) the State; or

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- (b) either party to the application believes that the planning authority does not have the technical expertise to assess the permit application; or
 - (c) the permit application relates to a development that is, or is likely to be, controversial; or
 - (d) the relevant planning authority may have, in respect of the proponent or development –
 - (i) a conflict of interest or a perceived conflict of interest; or
 - (ii) a real or perceived bias, whether for or against the proponent or development; or
 - (e) the application falls within a class of permit applications prescribed for the purpose of this section.
- (2) A request under subsection (1) in respect of a permit application –
- (a) must include a statement as to why the party is making the request that the Minister refer the relevant permit application to the Commission; and

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- (b) must be accompanied by –
 - (i) a copy of the permit application; and
 - (ii) evidence that the permit application meets one or more of the requirements specified in subsection (1); and
- (c) must be accompanied by each of the following, if in existence:
 - (i) each document, or piece of information, provided under this Act in respect of the permit application;
 - (ii) any further information provided by the applicant under this Act, including information provided under section 54, in respect of the permit application;
 - (iii) if the request is made by the planning authority, a statement that details the assessment process that has been undertaken under this Act by the planning authority in respect of the permit application;

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- (iv) all correspondence that has occurred between the applicant and the relevant planning authority in respect of the permit application.
- (3) If the Minister receives a request under subsection (1) that is only made by one party to the relevant permit application, the Minister is to ensure that the other party to the permit application is –
 - (a) notified of the request and has a copy of the documentation provided under subsection (2) in respect of the request; and
 - (b) notified that the party has a right to respond to the Minister, in respect of the request, within 7 days after the Minister receives the request.
- (4) The Minister may refer a permit application to the Commission for the granting of a discretionary permit by an Assessment Panel if, in the opinion of the Minister –
 - (a) the permit application meets one or more of the requirements specified in subsection (1); and
 - (b) the permit application is not an application to which section 25 of

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the *Environmental Management
and Pollution Control Act 1994*
applies.

- (5) The Minister may refuse to refer a permit application to the Commission, under this section, for any reason.
- (6) Within 7 days after receiving a permit application referred by the Minister under this section, the Commission may –
 - (a) return the application to the applicant if, in the opinion of the Commission –
 - (i) the application is an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies; or
 - (ii) the purported application does not meet the administrative requirements for an application under this section; or
 - (b) notify the applicant of the determination made by the Commission, under

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section 60AO, in respect of the
permit application.

60AN. Effect of application under this Subdivision

If a person makes a transfer application,
or a request under this Subdivision, in
respect of a permit application –

- (a) the relevant planning authority is
to stop in its assessment of the
permit application; and
- (b) all other assessments under this
Act, and any other Act, of the
permit application are to cease
while the transfer application or
request is determined under this
Subdivision; and
- (c) all timeframes under this Act, and
any other Act, that apply to the
permit application are paused
while the transfer application or
request is determined under this
Subdivision.

**60AO. Commission may determine status of certain
existing applications**

- (1) If the Commission is satisfied that an
Assessment Panel may be established
under section 60AP in respect of a permit
application, the Commission –

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- (a) is to determine which provisions of Subdivision 3 apply in respect of the permit application; and
 - (b) may determine that a provision of Subdivision 3 does not apply in respect of the permit application, if the Commission is satisfied that the applicant has complied with a similar requirement under this Act in respect of the permit application; and
 - (c) may specify that a time frame applies, to the permit application, in respect of a provision of Subdivision 3, that is different from the timeframe specified in that provision.
- (2) Before the Commission establishes an Assessment Panel in respect of a permit application, the Commission must provide to the applicant in respect of the transfer application a notice, in writing, of –
- (a) each determination made under subsection (1) in respect of a permit application; and
 - (b) each time frame specified, by the Commission under subsection (1) in respect of a permit application.

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- (3) Within 7 days after receiving a written notice under subsection (2), an applicant is to notify the Commission, in writing –
- (a) that the applicant agrees with the determination; or
 - (b) that the applicant disagrees with the determination.
- (4) If an applicant notifies the Commission under subsection (3)(a) that the applicant agrees with the determination of the Commission –
- (a) the Commission is to provide a copy of the written notice provided under subsection (2) to the proponent and the relevant planning authority; and
 - (b) the Commission is to establish an Assessment Panel under section 60AD in respect of the permit application to which the determination relates; and
 - (c) this Division applies to the assessment, and determination, of the permit application as specified in the determination of the Commission.
- (5) If an applicant notifies the Commission under subsection (3)(b) that the applicant disagrees with the determination of the

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Commission, or if an applicant fails to take action under subsection (3)(b) within the timeframe specified in the subsection –

- (a) the relevant transfer application is taken to be withdrawn; and
 - (b) all assessments ceased, and all timeframes paused, under section 60AN in respect of the relevant permit application are taken to continue.
- (6) For the avoidance of doubt, a determination of the Commission under subsection (1) in respect of a permit application –
- (a) is final and not subject to appeal; and
 - (b) may be amended by the Commission, or an Assessment Panel established in respect of the permit application; and
 - (c) may require an applicant to complete a process that is identical, or similar, to a process that the applicant has already undertaken under a different provision of this Act.

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- (7) If the Assessment Panel amends a determination in accordance with subsection (6)(b) –
- (a) the Assessment Panel is to give the applicant a written copy of the amended determination; and
 - (b) this section applies to the written copy of the amended determination as if it a written notice under subsection (2).

60AP. Commission to establish Assessment Panel

- (1) The Commission is to establish an Assessment Panel to undertake an assessment of a permit application, if –
- (a) the applicant notifies the Commission under section 60AO(3)(a) that the applicant agrees with the determination of the Commission in respect of the permit application; and
 - (b) the Commission is satisfied that the permit application is not an application to which section 25 of the *Environmental Management and Pollution Control Act 1994* applies.

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- (2) An Assessment Panel established under this section is to assess, and determine, a permit application in accordance with the determination of the Commission, under section 60AO, in respect of the permit application.

Subdivision 5 – Miscellaneous

60AQ. Application may be withdrawn by applicant

- (1) At any stage before an Assessment Panel gives a direction under section 60AH(3)(b) or section 60AI(2) in respect of an application, the applicant may withdraw the application by written notice to the Assessment Panel.
- (2) If an application has been withdrawn under subsection (1), the Assessment Panel is to notify the following persons that the application has been withdrawn:
- (a) each reviewing entity who has been provided with the application under section 60AE;
 - (b) if the application was exhibited in accordance with section 60AG, each person who made a representation under that section in respect of the application.

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60AR. Effect of issuing permit in respect of certain applications

- (1) If a planning authority issues a permit at the direction of an Assessment Panel under section 60AH(3)(b) or section 60AI(2) –
 - (a) the planning authority must issue the permit within 7 days after receiving the direction of the Assessment Panel; and
 - (b) the planning authority may only issue the permit as directed and may not impose any further conditions on the permit; and
 - (c) the permit comes into effect on the day on which it is issued or such later day as is specified by the Assessment Panel; and
 - (d) there is no right of appeal under this Act, in respect of the permit, on merit grounds; and
 - (e) the provisions of this Act relating to enforcement and minor amendments apply to the permit.
- (2) If a planning authority issues a permit at the direction of an Assessment Panel under section 60AH(3)(b) or section 60AI(2) in relation to a subdivision, within the meaning of Part 3

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of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, a reference in that Part to the council, in respect of a prescribed function or prescribed power of the council under that Part, includes a reference to the Assessment Panel.

60AS. Fees under this Division

- (1) For the purposes of this Division, the regulations may prescribe –
 - (a) the fees payable in respect of an application, matter or assessment under this Division; or
 - (b) the method of calculating a fee that may be payable under this Division.
- (2) Nothing in this section limits or restricts a power to make regulations under section 87 in respect of this Division including, but not limited to, making provision or with respect to a matter specified in section 87(2)(b).
- (3) The Commission may waive or remit all or any part of a fee that is payable under this Division.

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Part 3 – Historic Cultural Heritage Act 1995 Amended

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**PART 3 – HISTORIC CULTURAL HERITAGE ACT
1995 AMENDED**

9. Principal Act

In this Part, the *Historic Cultural Heritage Act 1995** is referred to as the Principal Act.

10. Section 33 substituted

Section 33 of the Principal Act is repealed and the following section is substituted:

33. Application of Planning Act to heritage works is subject to this Part

- (1) Subject to subsection (2), the provisions of this Part prevail, to the extent of any inconsistency, over the provisions of the Planning Act and any planning scheme or special planning order or planning directive in force under that Act.
- (2) This Part does not apply to –
 - (a) a permit application that is to be determined by an Assessment Panel under Division 2AA of Part 4 of the Planning Act; and
 - (b) heritage works that are to be performed under a discretionary permit that is issued as a result of

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Part 3 – Historic Cultural Heritage Act 1995 Amended

a permit application referred to in
paragraph (a).

Development Assessment Panel (DAP) Fact Sheet



Overview

The government is proposing to introduce the Land Use Planning and Approvals Amendment (Development Assessment Panels) Bill 2024 (the draft Bill) which provides for an alternate assessment pathway for development applications to be determined by an independent Development Assessment Panel established by the Tasmanian Planning Commission (the Commission).

The draft Bill also provides for the Minister to direct a planning authority to prepare a draft amendment to its Local Provisions Schedule (LPS) under certain circumstances where a review under section 40B of the *Land Use Planning and Approvals Act 1993* (the Act) has been exhausted.

DAP Framework - Eligible development applications

A development application may be eligible for DAP determination if it is for a discretionary permit, is not subject to the *Environmental Management and Pollution Control Act 1994*, and meets one of the following:

1. is an application for subdivision to accommodate social and affordable housing or the development of social and affordable housing, that is endorsed by Homes Tasmania as being suitable for DAP determination;
2. where an applicant, or the planning authority with the consent of the applicant, chooses that the development application be determined by a DAP subject to satisfying the following value thresholds:

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- a. over \$10M;
 - b. over \$5M in a non-metropolitan area; or
 - c. over \$1M if council is the applicant and the planning authority;
3. Upon request to the Minister from either the applicant or the planning authority, where the Minister determines that the development application is suitable for DAP determination because it satisfies one or more of the following criteria:
 - a. the application is considered to be of significance to the local area or State;
 - b. the application is overly complex and the planning authority does not have the expertise to assess it;
 - c. the application is controversial, or likely to be controversial;
 - d. the planning authority has, or is likely to have a conflict of interest, or there is perceived bias on the part of the planning authority.

When can applications be referred to a DAP?

Development applications can be referred to a DAP at the beginning of the assessment or anytime during the planning authority's assessment. An application that is referred at the beginning of the assessment follows the process and timeframes outlined in the flowchart in *figure 1*, with the DAP overseeing and coordinating the assessment.

Applications that enter the DAP process partway through the planning authority's assessment has the remaining assessment processes and timeframes determined by the DAP, including the possibility of repeating elements of the assessment.

DAP to seek advice from 'reviewing entities'

The DAP refers all development applications to relevant 'reviewing entities', including the planning authority, Heritage Council and regulated entities. Reviewing entities may request further information through the DAP. The DAP consolidates and coordinates requests and responses to further information.

Planning authority to advise DAP on certain matters

The Planning authority is to provide the DAP with advice on the following:

- any matters relevant under the *Local Government (Building and Miscellaneous Provisions) Act 1993*;

- issues or concerns regarding the impact of the proposed use and development on council's assets or infrastructure;
- suggested draft permit conditions that should be imposed to address the impact of the use and development on council infrastructure and assets;
- any other matter that the planning authority would like to bring to the DAP's attention.

DAP undertakes preliminary assessment and exhibits draft report

Once the DAP has advice from the reviewing entities and any further information provided by the applicant, it undertakes a preliminary assessment of the application against the planning scheme provisions. Where the DAP's preliminary assessment is for approval, the draft report will include a draft permit and conditions.

The DAP exhibits the application, advice from reviewing entities, any additional information provided by the applicant and the DAP's preliminary report, including any draft permit, for a period of 14 days. The exhibition notice also includes notification of a hearing date, which is to be not less than 10 days after the close of the exhibition period.

The DAP publishes all representations received during the exhibition period within 3 days of it closing.

DAP to hold public hearings

The DAP is to hold a hearing into the matters raised in the representations. This allows all parties to present their evidence and test the evidence of others.

The DAP can only dispense with holding a hearing if it is satisfied that no representations were received or the representations support the preliminary assessment, and no parties to the proceeding wish to attend a hearing.

DAP to determine development application

Following the hearing, the DAP considers all the information presented and makes a decision on the application. The DAP is to give notice of its decision to the applicant, reviewing entities and representors within 4 weeks of the close of exhibition unless an extension of time has been granted.

If the DAP's decision is to approve the application and grant a permit, the DAP must, in its notice to the planning authority, direct it to issue a permit in accordance with the DAP's decision.

Statutory assessment timeframes

An application involving the provision of social and affordable housing is determined by the DAP within 91 days. The timeframe for determination of other applications is 112 days.

Other statutory timeframes are shown in Figure 1.

Post DAP decision

The planning authority is responsible for enforcing the permit.

Because the assessment has involved a public hearing and the DAP is bound by the rule of natural justice and procedural fairness, there is no right of appeal on the grounds of planning merit to the DAP's decision.

The planning authority can receive and determine applications for a minor amendment to a permit for an application that has been determined by a DAP.

Fees

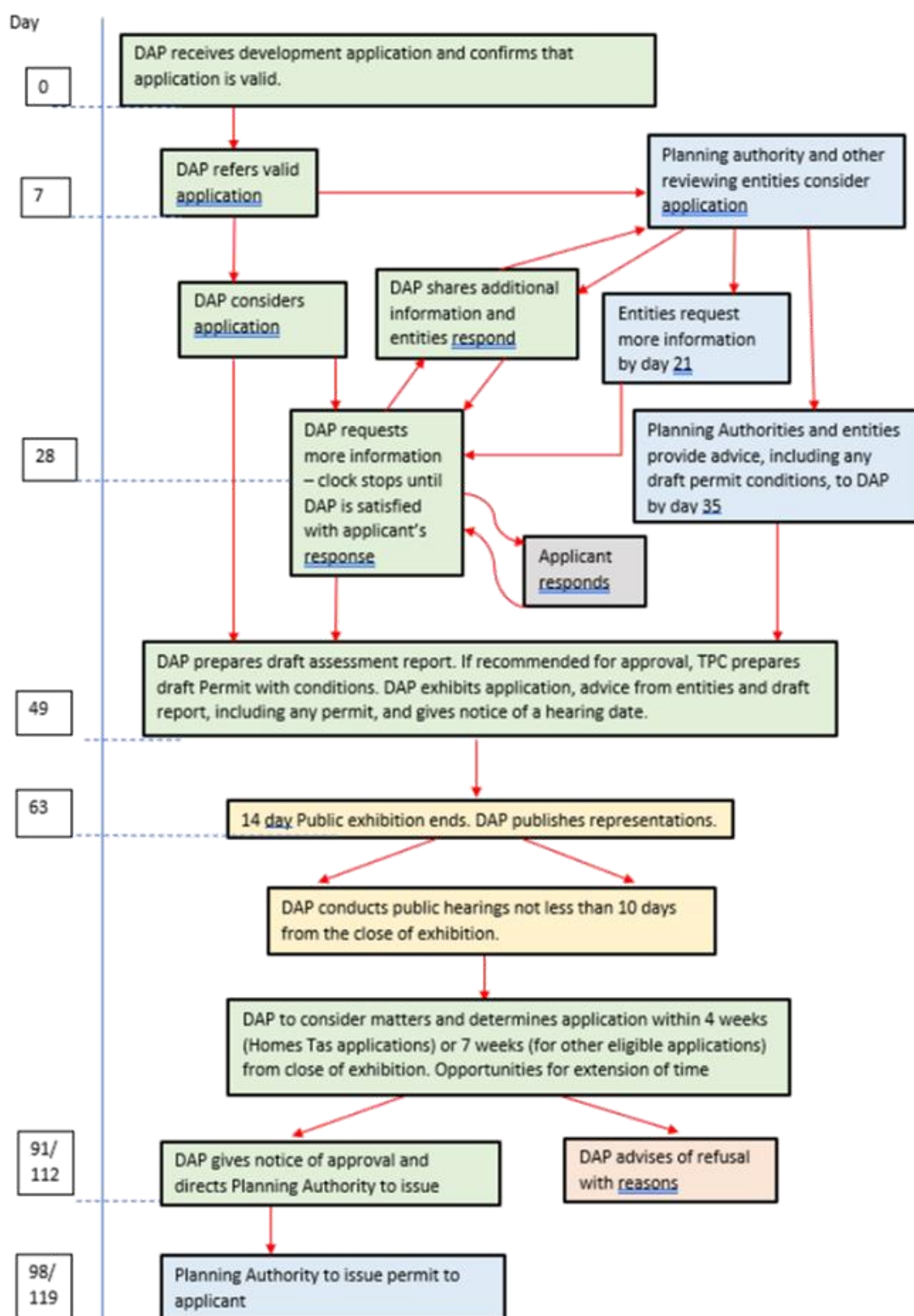
Fees for the assessment of the application by the DAP and the provision of advice by reviewing entities will be prescribed in the Regulations.

Ministerial Direction to prepare draft amendment to an LPS

Section 40B of the Act allows an applicant to request the Commission to review the planning authority's decision to refuse an application to amend its LPS. The Commission can direct the planning authority to reconsider its decision. Where that has occurred, and the planning authority still does not agree to prepare an amendment, the draft Bill allows the Minister to direct the planning authority to prepare a draft amendment of its LPS in accordance with section 40C of the Act, subject to being satisfied that the LPS criteria is met.

An LPS amendment that has been prepared by a direction of the Minister is subject to the usual independent assessment by the Commission.

Figure 1. Proposed DAP Framework Flow Chart





Our ref: Land Use Planning and Approvals Act 1993
Enquiries: Tony McMullen
Direct phone: (03) 6216 6767
Email: tony.mcmullen@gcc.tas.gov.au

29 October 2024

The Acting Director
State Planning Office
Department of Premier and Cabinet
handle@address.com

Dear Sir

SUBMISSION ON THE LAND USE PLANNING AND APPROVALS (DEVELOPMENT ASSESSMENT PANELS) BILL 2024

Thank you for the opportunity to comment on the draft Bill.

Council considered this matter at its meeting on 28 October 2024 and resolved to make the following submission.

In principle, Council is on the record that it does not object to the concept of development assessment panels.

However, no evidentiary based has been established to justify the model proposed.

Failure to respond to concerns from earlier engagement

Council provided a submission on the DAP Discussion Paper on the 28 November 2023, indicating that while it is not opposed to the concept of a Development Assessment Panel, (particularly for assistance in technical skills), there were a number of concerns with the proposed scope and operation of such a Panel.

It is disappointing, given the extensive number of submissions highlighting similar concerns, that the draft Bill has been prepared seemingly with little or no regard to them.

Of the 5 major concerns Council raised in that submission, the Bill:

- fails to respond to 3 concerns,
- has changed what is proposed to make one concern worse, and
- provides a limited and insubstantial response to the other concern.

374 Main Road, Glenorchy
PO Box 103, Glenorchy TAS 7010
(03) 6216 6800 | gccmail@gcc.tas.gov.au
www.gcc.tas.gov.au



Adverse impact on planning authorities under the model

In short, the model proposed in the draft Bill is philosophically bankrupt.

The model argues that there are situations where councils are conflicted and therefore unlikely to make sound planning decisions. Yet the model relies on councils effectively making a decision at first instance which is then subject to review by a panel. So, the very foundation of the model – i.e. of purportedly relieving councils of their planning authority role is defeated. And by not advertising applications until a “recommendation” has been made by the council, the Bill is really just leaving councils hanging out to dry.

Not only that, this design is then utilized to enable a sham review process as a device to remove people’s appeal rights.

These measures would significantly undermine public confidence in the system and exacerbate controversy.

Unnecessarily complex and unclear process

The DAP process should align with the process for assessment of a discretionary application, not the process for a combined amendment and planning application.

Essentially mirroring this process is not appropriate and is an unnecessarily complex response.

Clarity regarding the operation of the process resulting from different trigger points is required.

The proposed timeframes for assessments have been slightly increased. However, they remain extremely tight (and perhaps unrealistically achievable). DAPs will need to be sufficiently resourced to deal with such assessments noting Council’s ability to respond to the proposed timeframes will significantly impact resources.

Resourcing impacts on councils

There will likely be significant impacts on resourcing assessments and, while yet unclear, it seems unlikely planning authorities will receive fees for such applications, yet would still be required to understand significant assessment, administration and enforcement.

Council also remains concerned with the impacts of resourcing assessments and, while yet unclear, it seems unlikely planning authorities will receive fees for such applications, yet would still be required to:

- Potentially assess an application to determine any impacts on assets and infrastructure.
- Assist with providing details on owners and occupiers to be notified and undertake display of exhibited applications.



- Prepare resultant planning permits.
- Undertake enforcement of conditions (including conditions a planning authority may not have supported).
- While the proposed timeframes for assessments have been slightly increased, they remain extremely tight (and perhaps unrealistically achievable). Council hopes the DAPs will be sufficiently resourced to deal with such assessments noting Council's ability to respond to such timeframes will significantly impact resources.

Ministerial interference and politicisation of the planning system

The proposed model will absolutely create Ministerial interference in development assessment process and compromise the integrity of this aspect of the Resource Management and Planning System of Tasmania.

An ad-hoc process determined by the Minister on a case-by-case basis does not represent procedural fairness and is not supported.

In particular, depoliticisation of the planning process will clearly not occur where the Minister for Planning has to power to direct a council to prepare a planning scheme amendment that it has, on behalf of its community, determined is not appropriate to prepare (proposed Section 40BA).

The ability for the Minister for Planning to refer a discretionary permit application to the Tasmanian Planning Commission and require the establishment of a DAP is also difficult to view as a depoliticisation of the system (proposed Section 60AC). This section enables an applicant to claim an application is likely to be controversial [S60AC (1) (c)] or that the planning authority has a real or perceived bias [S60AC (1) (1) (d)]. There is an existing pathway for these matters: TasCAT – which is an independent decision maker.

It is also noted that proposed Section 60AC (1) (e), where an applicant applies to the Minister to request the Commission establishes a DAP, provides for future prescribed applications – a range of yet unknown applications.

Non-mandatory referrals should be at the discretion of the planning authority, not the applicant with applicants having a right of appeal of this action.

Role of Heritage Council requires clarification

It is understood that the Heritage Council will become a reviewing entity under the draft DAP Bill. Noting that the Historic Cultural Heritage Act 1995 does not assess 'use', some further clarify on how section 10 of the proposed Draft DAP Bill (ie modifications to Section 33 of the Historic Cultural Heritage Act 1995 Amended) will operate may be required.



Conclusion

Council looks forward to beneficial dialogue and significant reengineering of what is proposed to ensure that a DAP model for Tasmania is philosophically-sound, efficient, well-resourced and builds confidence in our planning system, rather than serving to undermine it.

Yours sincerely

Tony McMullen
Chief Executive Officer

COUNCIL POLICY

ROADSIDE DIRECTIONAL SIGNS



PURPOSE

This policy provides clarity and consistency when assessing external applications for the installation of roadside information signs and to ensure consistent quality is applied across all the community services and local businesses in Glenorchy, who may have a need to erect roadside signs.

SCOPE

This policy applies to requests from community organisations, churches, schools, etc. regarding the erection of directional signs.

RELATED DOCUMENTS

STRATEGIC PLAN ALIGNMENT

[Valuing Our Environment](#)

[Objective 3.1 — Create a liveable and desirable city](#)

[Strategy 3.1.3 — Manage the City's transport network and the associated infrastructure to promote sustainability, accessibility, choice, safety and amenity for all modes of transport.](#) Not applicable.

STATUTORY REQUIREMENTS

Acts	N/A
Regulations	N/A
Australian/ International Standards	AS1742.6 Manual of Uniform Traffic Control Devices Part 6: Service and Tourist Signs Tasmanian Roadside Signs Manual (Department of State Growth)

DEFINITIONS

Roadside Directional Sign is the generic name for signs directing to commercial tourism facilities or natural, cultural or historic features.

Community Facility means a feature not necessarily related to travel, but which may be sought by significant number of strangers to a district.

Precinct means an area identified or designated for a specific purpose of activity or group of related activities.

Road Authority means Council's Department of Infrastructure, Engineering and Design is acting as the Road Authority, responsible for managing all the local highways within the Glenorchy municipality, under the *Local Government (Highways) Act 1982*.

POLICY STATEMENT

Installation of roadside directional signs

1. Roadside service information directional signs are only permitted by the Road Authority to be erected for the following:
 - recreational facilities (e.g. swimming pools, sports grounds and golf courses)
 - public facilities (e.g. hospital, police/fire station, public library, municipal offices, waste disposal sites and education institutions), and
 - community facilities (e.g. churches, religious institutions and activity precincts).
2. Community facility signs may be permitted by the Road Authority on the roadside where the facility is not readily visible from the road or where the facility is visible but the route to it is not obvious.
3. Enquiries or applications for Tourism directional signs must be directed to the Tourism Signs Consultant, Department of State Growth, for initial assessment/approval. A letter of support from Council's Road Authority will be provided if the proposed signage is in accordance with Department of State Growth's 'Tasmanian Roadside Signs Manual'. Subsequent applications to Council will be assessed based on advice from the Department of State Growth.
4. Written applications for the erection of all roadside directional signs shall be made to the Road Authority and written Council approval shall be obtained, prior to erecting the sign.
5. Roadside directional signs, subject to approval from the Road Authority, will be erected by Council, at the applicant's cost. Where a new pole or similar mounting arrangement is required, this shall be at the applicant's cost.
6. The cost of providing and maintaining the sign shall be met by the applicant/ owner/operator.
7. The size and type of sign is to be determined by the Road Authority and will be in accordance with AS 1742.6

DOCUMENT CONTROL

Version:	23.0	Adopted	28/09/2020	Commencement Date	29/09/2020
Minutes Reference				Review Period	4 Years from adoption
Previous Versions:	2.0 28 September 2020 (Council meeting, Item 17) 1.0 adopted 15 March 2016 (Council meeting, Item 13)				
Responsible Directorate	Infrastructure and WorksDevelopment		Controller:	Manager Infrastructure Assets, Engineering and Design	
ECM Document No.:	3233369Policies by Directorate				

COUNCIL POLICY

ROADSIDE DIRECTIONAL SIGNS



PURPOSE

This policy provides clarity and consistency when assessing external applications for the installation of roadside information signs and to ensure consistent quality is applied across all the community services and local businesses in Glenorchy, who may have a need to erect roadside signs.

SCOPE

This policy applies to requests from community organisations, churches, schools, etc. regarding the erection of directional signs.

RELATED DOCUMENTS

Not applicable.

STATUTORY REQUIREMENTS

Acts	N/A
Regulations	N/A
Australian/ International Standards	AS1742.6 Manual of Uniform Traffic Control Devices Part 6: Service and Tourist Signs Tasmanian Roadside Signs Manual (Department of State Growth)

DEFINITIONS

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Community Facility means a feature not necessarily related to travel, but which may be sought by significant number of strangers to a district.

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Installation of roadside directional signs

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 6. The cost of providing and maintaining the sign shall be met by the applicant/ owner/operator.
 7. The size and type of sign is to be determined by the Road Authority and will be in accordance with AS 1742.6

DOCUMENT CONTROL

Version:	3.0	Adopted		Commencement Date	
Minutes Reference				Review Period	
Previous Versions:	2.0 28 September 2020 (Council meeting, Item 17) 1.0 adopted 15 March 2016 (Council meeting, Item 13)				
Responsible Directorate	Infrastructure and Works		Controller:	Manager Assets, Engineering and Design	
ECM Document No.:	Policies by Directorate				

COUNCIL POLICY

PROCEEDS OF PROPERTY DISPOSALS



PURPOSE

This policy sets out how Council will administer and use the proceeds of the sales of Council property.

SCOPE

This policy applies to all funds received from the sale of property owned by Council. It does not include cash received in lieu of public open space through the planning-subdivision process, which is dealt with in the Securing Public Open Space Provision Through Subdivision Policy—Reserve and Expenditure Policy (legislated process).

RELATED DOCUMENTS

- ~~Subdivisions—Public Open Space Acquisitions and Contributions Policy.~~ This policy deals with provision of public open space in new subdivisions and cash in lieu of open space.
- ~~Public Open Space Reserve and Expenditure Policy.~~ Deals with the receipt and expenditure of funds contributed to Council in lieu of public open space. Securing Public Open Space Provision Through Subdivision Policy. This policy deals with provision of public open space in new subdivisions and cash in lieu of open space, and the receipt and expenditure of funds contributed to Council in lieu of public open space.
- Disposal of Council Land Policy.** Provides guidance for the equitable, consistent and transparent disposal of Council Land.
- Disposal of Council Assets Policy.** Deals with the disposal of Council assets but excludes real property assets.

Commented [LC1]: This Policy was endorsed in 2021, replacing/rescinded the above two policies.

STATUTORY REQUIREMENTS

Acts	<i>Local Government Act 1993</i>
Regulations	N/A
Australian/International Standards	N/A

DEFINITIONS

Council property means Council-owned land or buildings.

Financial reserve means an accounting treatment that reserves (sets aside) part of Council's equity for a specific purpose.

Net proceeds means the sale price less the full cost of disposal including cost of sale, and any applicable fees or GST, salaries and on-costs.



June 2024

Open space means land owned by Council for public recreation, public gardens or for similar purposes. Open space in Glenorchy includes:

- social/ family recreation areas
- water based recreation areas
- open space for sport
- community horticulture gardens
- memorial/remembrance gardens
- cultural heritage conservation areas
- flora and fauna conservation areas
- accessways and trails
- lookouts and ridgelines.

Proceeds of sale means net proceeds—the amount of cash received from the sale after paying for expenses, fees and taxes.

Property Disposal Reserve Fund means funds received from the sale of public land and Council property which are set aside for purposes relating to open space.

Public Land means as defined in the *Local Government Act 1993*.

Special Projects Reserve Fund means funds from the sale of public land and Council property which are set aside for special purposes approved by Council outside of routine, planned works.

POLICY STATEMENT

Overview

1. With ongoing development of land in the municipality, Council recognises the increasing value of quality open space land and amenities to the community and its visitors.
2. In disposing of surplus public land and Council properties, Council aims to ensure that there is no net loss of open space amenity. In particular, proceeds from the sale of land zoned or used for open space will only be used to further the objectives of the Open Space Strategy, Council and related Council strategies.
3. Council will comply with all relevant legislative and policy requirements in administering and reinvesting the proceeds of its property disposals.

Commented [LC2]: Has been superseded by more n strategies such as Planning for Play 2041, and Active Glenorchy 2040.

Proceeds of sales to be held in reserve

4. This policy establishes a Property Disposals Reserve Fund and a Special Projects Reserve Fund.
5. Net proceeds from the sale of public land and Council properties will be apportioned in accordance with 5(a) and (b), below:
 - (a) **For land which is sold for less than \$1m**, net proceeds are to be distributed between the Property Disposals Reserve Fund and the Special Projects Reserve Fund as follows:



June 2024

- i) where the land is either zoned or designated for use as open space, 100% of the net proceeds will be apportioned to the Property Disposals Reserve Fund;
- ii) where no part of the land is zoned or designated for use as open space, 25% of the net proceeds will be apportioned to the Property Disposals Reserve Fund and 75% will be apportioned to the Special Projects Reserve Fund
- iii) where part of the land is either zoned or designated as open space and rest is zoned or designated for other uses, a percentage of the net proceeds which is equivalent to the percentage of the land that is zoned or designated as open space is to be apportioned to the Property Disposals Reserve Fund and the balance apportioned to the Special Projects Reserve Fund.

(b) For land which is sold for \$1m or more, Council is to allocate the proceeds by:

- i) apportioning the proceeds between the Property Disposals Reserve Fund and/or the Special Projects Reserve Fund in percentages it deems appropriate, or
- ii) directly allocating the proceeds to specific Council projects, programs or uses (including capital works and maintenance) which provide a benefit to the community, or
- iii) a combination of (b)(i) and (ii).

6. Net proceeds of sales must be allocated to the relevant reserve fund/s as soon as practicable but no later than either one month after receipt or a decision by Council, as applicable.

Expenditure from the Property Disposals Reserve Fund

- 7. Costs related to obtaining community feedback as part of the disposal process will be considered as part of the expenditure of funds.
- 8. Funds in the Property Disposals Reserve Fund are to be used solely for the acquisition, development and/or improvement of sites for public open space in the municipality, or purposes designed to increase the use of and access to open space by the community.
- 9. Prior to reserve funds being used to purchase land for public open space, sport or recreation purposes, proposed sites must be evaluated as meeting the Council's strategic open space objectives.
- 10. Expenditure from the Property Disposals Reserve Fund will be prioritised in accordance with the [the objectives of Council and related Council strategies](#) ~~Glenorchy Open Space Strategy~~.
- 11. Requests for use of funds shall include a business case outlining how the proposal meets the objectives of the [Council and related Council strategies](#) ~~Glenorchy Open Space Strategy~~. The business case will include the open space type, setting and location, and cost estimates of any proposed development.
- 12. Approval of projects will need to be undertaken as part of Council's budgeting requirements and processes.



June 2024

Expenditure from Special Projects Reserve Fund

13. Funds in the Special Projects Reserve Fund are to be used for non-routine, special projects as determined by the Council from time to time. All expenditure from the Special Projects Reserve Fund must be submitted to the Executive Leadership Team before consideration for approval by Council.

Reporting

14. The Manager Property, Environment and Waste will provide an annual report to Council advising the status of the funds including any disposal of land and expenditure of funds.

Background

The *Glenorchy Healthy Communities Plan 2014* recommended enhancing the performance of open spaces that are underdeveloped or underperforming, and divesting or repurposing of land to fill gaps in open space functions and settings.

The *Glenorchy Open Space Strategy 2015* builds on the *Glenorchy Healthy Communities Plan*. It provides a locality analysis of existing sites and unmet needs and identifies some potential sites suitable for developing as open spaces. It also provides broad principles for open space.

The *Local Government Act 1993* provides that a council may purchase land for any purpose which it considers to be of benefit to the council or the community and sets out requirements for the sale and disposal of public land and council land.

Council's *Asset Management Strategy for Infrastructure Assets 2019-2023* sets out guiding principles for management of its assets, including that Council will invest in high use areas, provide services to an affordable standard, cater for future demand and explore opportunities for shared facilities and services.

DOCUMENT CONTROL

Version:	Adopted	Commencement Date	
Minutes Reference		Review Period	4 Years from adoption
Previous Versions:			
Responsible Directorate		Controller:	
ECM Document No.:			

COUNCIL POLICY

PROCEEDS OF PROPERTY DISPOSALS



PURPOSE

This policy sets out how Council will administer and use the proceeds of the sales of Council property.

SCOPE

This policy applies to all funds received from the sale of property owned by Council. It does not include cash received in lieu of public open space through the subdivision process, which is dealt with in the *Securing Public Open Space Provision Through Subdivision Policy (legislated process)*.

RELATED DOCUMENTS

- **Securing Public Open Space Provision Through Subdivision Policy.** This policy deals with provision of public open space in new subdivisions and cash in lieu of open space, and the receipt and expenditure of funds contributed to Council in lieu of public open space.
- **Disposal of Council Land Policy.** Provides guidance for the equitable, consistent and transparent disposal of Council Land.
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STATUTORY REQUIREMENTS

Acts	<i>Local Government Act 1993</i>
Regulations	<i>N/A</i>
Australian/International Standards	<i>N/A</i>

DEFINITIONS

Council property means Council-owned land or buildings.

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Proceeds of sale means *net* proceeds—the amount of cash received from the sale after paying for expenses, fees and taxes.

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POLICY STATEMENT

Overview

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3. Council will comply with all relevant legislative and policy requirements in administering and reinvesting the proceeds of its property disposals.

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 - i) where the land is either zoned or designated for use as open space, 100% of the net proceeds will be apportioned to the Property Disposals Reserve Fund;



- ii) where no part of the land is zoned or designated for use as open space, 25% of the net proceeds will be apportioned to the Property Disposals Reserve Fund and 75% will be apportioned to the Special Projects Reserve Fund
 - iii) where part of the land is either zoned or designated as open space and rest is zoned or designated for other uses, a percentage of the net proceeds which is equivalent to the percentage of the land that is zoned or designated as open space is to be apportioned to the Property Disposals Reserve Fund and the balance apportioned to the Special Projects Reserve Fund.
- (b) **For land which is sold for \$1m or more**, Council is to allocate the proceeds by:
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 - ii) directly allocating the proceeds to specific Council projects, programs or uses (including capital works and maintenance) which provide a benefit to the community, or
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Expenditure from Special Projects Reserve Fund

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Reporting

14. The Manager Property, Environment and Waste will provide an annual report to Council advising the status of the funds including any disposal of land and expenditure of funds.

DOCUMENT CONTROL

Version:	2.0	Adopted		Commencement Date	
Minutes Reference				Review Period	4 Years from adoption
Previous Versions:	1.0 31 August 2020				
Responsible Directorate	Infrastructure and Development		Controller:	Manager Property, Environment & Waste	
ECM Document No.:	Policies by Directorate				

Annual Plan Actions - Complete List							Open
Community Goal	Objectives	Strategies	Actions	Lead	Outcomes	Deliverables	Percent Complete
Living lives better	We deliver services to meet our community's needs	Deliver services to our community at defined service levels	1.1.1.1 Implement the Moohah Arts Centre Business Plan	Corporate & Community Services	Services delivered meet community needs	Services delivered by council	20%
Living lives better	We deliver services to meet our community's needs	Deliver services to our community at defined service levels	1.1.1.2 Provide quality, sustainable, compliant childcare services	Corporate & Community Services	Services delivered meet community needs	Services delivered by council	25%
Living lives better	We deliver services to meet our community's needs	Identify and engage with partnerships that provide services effectively to our community	1.1.2.1 Coordinate literacy activities including digital skills, employment services, family literacy and volunteering	Corporate & Community Services	Services delivered meet community needs	Services delivered with partners	25%
Living lives better	We deliver services to meet our community's needs	In partnership with others, advocate for and facilitate a welcoming, inclusive, healthy and learning community	1.2.1.1 Deliver the Multicultural Hub commercial kitchen development	Infrastructure & Development	Services delivered meet community needs	Services delivered with partners	100%
Living lives better	We champion greater opportunities for our community	In partnership with others, advocate for and facilitate a welcoming, inclusive, healthy and learning community	1.2.1.2 Deliver grant funded projects that support mental health courses and "Glenorchy on the Go"	Corporate & Community Services	Services delivered meet community needs	Services delivered with partners	25%
Living lives better	We champion greater opportunities for our community	In partnership with others, advocate for and facilitate a welcoming, inclusive, healthy and learning community	1.2.1.3 Advocate for key community priorities	Stakeholder Engagement	Council advocacy and facilitation on important community issues	Advocacy undertaken	25%
Living lives better	We champion greater opportunities for our community	Work with others to improve access to housing and transport choices for our community	1.2.2.1 Support increased housing supply in the City through land release, proactive planning and advocacy	Infrastructure & Development	Work with others to improve access to housing for our community	Support increased housing supply	25%
Building image and pride	We work for a safe and clean city	Work proactively with other governments, service providers and the community to improve public safety in our City	2.1.1.1 Deliver programs to improve opportunities for our young people	Corporate & Community Services	A safe and clean city	Youth engagement	25%
Building image and pride	We work for a safe and clean city	Work proactively with other governments, service providers and the community to improve public safety in our City	2.1.1.2 Partner with government and community organisations to deliver programs that improve community safety and inclusion	Corporate & Community Services	A safe and clean city	Improved public safety	25%
Building image and pride	We work for a safe and clean city	Maintain our roads, footpaths, trails, parks, playgrounds, open spaces, stormwater and building assets so they are functional, safe, and clean	2.1.2.1 Research and recommend an improved approach to tackle graffiti in our City	Infrastructure & Development	A safe and clean city	Community infrastructure is functional, safe and clean	25%
Building image and pride	We work for a safe and clean city	Maintain our roads, footpaths, trails, parks, playgrounds, open spaces, stormwater and building assets so they are functional, safe, and clean	2.1.2.2 Maintain the City's infrastructure within defined service levels so that it is in good condition for our community	Infrastructure & Development	A safe and clean city	Community infrastructure is functional, safe, and clean	22%
Building image and pride	We nurture and celebrate our proud City with its strong sense of belonging	Encourage creative expression and participation in our community	2.2.1.1 Plan, promote and present an annual program of arts and cultural exhibitions, workshops, concerts and events for our diverse community	Corporate & Community Services	A proud city with increased sense of belonging	Create expression in our community	25%
Building image and pride	We nurture and celebrate our proud City with its strong sense of belonging	Welcome diversity and inclusion in our community, creating connections that enable a sense of belonging and acceptance	2.2.2.2 Implement the Reconciliation Action Plan to strengthen relationships with and opportunities for Aboriginal and Torres Strait Islander peoples including staff and community cultural safety	Corporate & Community Services	A proud city with increased sense of belonging	A welcoming and connected community	25%
Building image and pride	We nurture and celebrate our proud City with its strong sense of belonging	Deliver or facilitate events to strengthen our community's sense of pride and belonging	2.2.3.1 Plan and support the delivery of civic events and awards programs	Stakeholder Engagement	A proud city with increased sense of belonging	A welcoming and connected community	25%
Open for Business	We value our community by delivering positive experiences	Build and maintain relationships with government and the private sector that creates job opportunities and help our City to prosper	3.1.1.1 Progress Glenorchy's economic development through infrastructure support, job creation, city marketing, and a proactive regulatory approach	Stakeholder Engagement	Positive relationships and interactions	Connection to local business and industry	25%
Open for Business	We value our community by delivering positive experiences	Work constructively with the development sector and the community to enable acceptable development opportunities	3.1.2.1 Assess planning permit applications against the Tasmanian Planning Scheme, working constructively with parties through the process	Infrastructure & Development	Positive relationships and interactions	High standard of customer service	25%
Open for Business	We value our community by delivering positive experiences	Work constructively with the development sector and the community to enable acceptable development opportunities	3.1.2.2 Assess building and plumbing applications against the National Construction Code, working constructively with parties through the process	Infrastructure & Development	Positive relationships and interactions	High standard of customer service	25%
Open for Business	We value our community by delivering positive experiences	Provide a high standard of customer service and continuous improvement by investing in our people, systems and processes	3.1.3.1 Provide a high standard of customer service by meeting or exceeding service levels in our Customer Service Charter	Corporate & Community Services	High standard of customer service	High standard of customer service	25%
Open for Business	We encourage responsible growth for our City	Maintain a progressive approach that encourages investment and jobs	3.2.1.1 Operate the Glenorchy Jobs Hub to connect local people with local jobs and assist local industry and business to meet current and future workforce needs	Corporate & Community Services	Well-managed growth encouraged	Investment in job creation	25%
Open for Business	We encourage responsible growth for our City	Plan for the orderly future growth of our City, including opportunities for more housing and improvements in transport	3.2.2.1 Identify and progress amendments required to Glenorchy's planning scheme to facilitate growth	Infrastructure & Development	Well-managed growth encouraged	Future growth planned for	25%

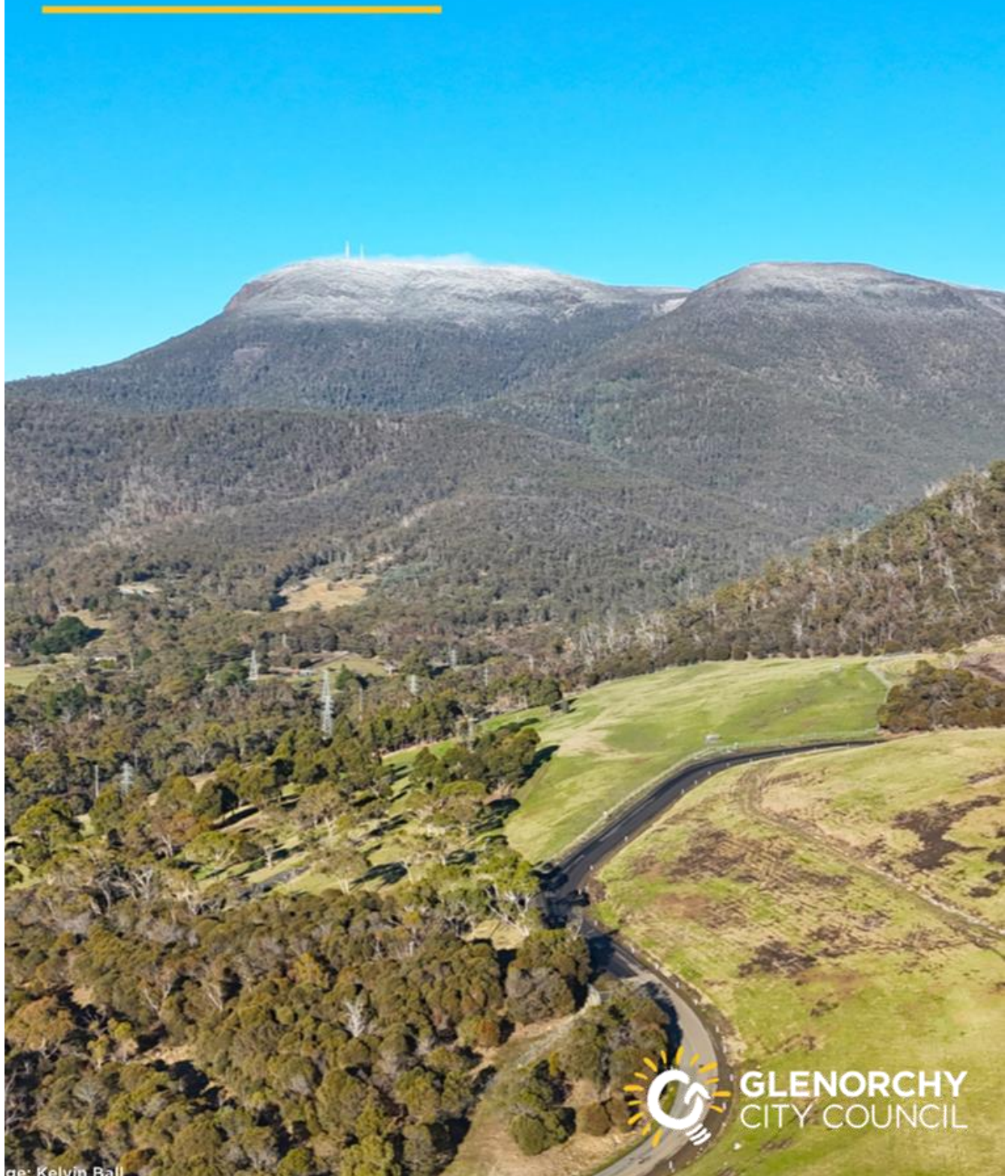
Open for Business	We encourage responsible growth for our City	Plan for the orderly future growth of our City, including opportunities for more housing and improvements in transport.	3.2.2.3 Implement the Glenorchy Parking Strategy 2017/2027 to include the development of parking plans and cash-in-lieu of car parking policy	Infrastructure & Development	Well-managed growth encouraged	Future growth planned for	25%
Leading our community	We are a leader and partner that acts with integrity and upholds our community's best interests	Listen to our community to understand their needs and priorities	4.1.1.1 Actively listen to and include community feedback in our decision-making	Stakeholder Engagement	Leadership in the community's best interests	Engagement with the community using the Community Engagement Framework	25%
Leading our community	We are a leader and partner that acts with integrity and upholds our community's best interests	Listen to our community to understand their needs and priorities	4.1.1.2 Assist people in financial hardship by reviewing applications in a timely and sensitive manner	Corporate & Community Services	Leadership in the community's best interests	Good decision-making	25%
Leading our community	We are a leader and partner that acts with integrity and upholds our community's best interests	Communicate effectively with our community & stakeholders about what Council is doing.	4.1.2.1 Keep the community up to date about what Council is doing and the decisions that are being made	Stakeholder Engagement	Leadership in the community's best interests	Engagement with the community using the Community Engagement Framework	25%
Leading our community	We are a leader and partner that acts with integrity and upholds our community's best interests	Champion and work together to address our community's needs and priorities	4.1.3.1 Advocate for the reduction of harm caused to our community by gaming machines in our City	Corporate & Community Services	Leadership in the community's best interests	productive relationships with government and peak bodies	25%
Leading our community	We are a leader and partner that acts with integrity and upholds our community's best interests	Champion and work together to address our community's needs and priorities	4.1.3.2 Implement Council's Statement of Commitment on Housing and contribute to State Government policy and legislation	Corporate & Community Services	Leadership in the community's best interests	productive relationships with government and peak bodies	25%
Leading our community	We are a leader and partner that acts with integrity and upholds our community's best interests	Make informed decisions that are open and transparent and in the best interests of our community.	4.1.4.1 Ensure high quality officer Council reports, agendas and minutes to assist Elected Member decision-making	Stakeholder Engagement	Leadership in the community's best interests	Good decision-making	25%
Leading our community	We are a leader and partner that acts with integrity and upholds our community's best interests	Build and maintain productive relationships with all levels of government, other councils and peak bodies to achieve community outcomes.	4.1.5.1 Participate in the Hobart City Deal, Greater Hobart Committee, Greater Hobart Strategic Partnership, Local Government Association of Tasmania, TasWater Owners representatives' Group and Southern Tasmanian Regional Waste Authority Owners Forum, to advocate for the interests of the Glenorchy community	Stakeholder Engagement	Leadership in the community's best interests	Productive relationships with government and peak bodies	25%
Leading our community	We are a leader and partner that acts with integrity and upholds our community's best interests	Ensure our City is well planned and prepared to minimise the impact of emergency events and is resilient in responding to and recovering from them.	4.1.5.2 Where appropriate, actively support the implementation of the future of local government review outcomes in the interest of the Glenorchy community.	Stakeholder Engagement	Leadership in the community's best interests	productive relationships with government and peak bodies	25%
Leading our community	We are a leader and partner that acts with integrity and upholds our community's best interests	Build and maintain productive relationships with all levels of government, other councils and peak bodies to achieve community outcomes.	4.1.6.1 Implement the Bushfire Mitigation program to manage the risk of bushfire and undertake flood mitigation activities to mitigate flood impacts.	Infrastructure & Development	Leadership in the community's best interests	Prepared for emergency events	Capital Works 25%
Leading our community	We are a leader and partner that acts with integrity and upholds our community's best interests	Build and maintain productive relationships with all levels of government, other councils and peak bodies to achieve community outcomes.	Ensure we are prepared for disaster and maintain Emergency Management Plans	Corporate & Community Services	Leadership in the community's best interests	Prepare for emergency events	ongoing, 25% to quarter
Leading our community	We responsibly manage our community's resources to deliver what matters most	Manage the city's assets responsibly for the long-term benefit and growth of the community	4.2.1.1 Maintain and upgrade stormwater infrastructure with priority on reducing flood risk	Infrastructure & Development	Effective management of assets, resources, compliance, risk and WHS	Responsible asset management	40%
Leading our community	We are a leader and partner that acts with integrity and upholds our community's best interests	Manage the city's assets responsibly for the long-term benefit and growth of the community	4.2.1.2 Manage the city's property, parks and recreation facilities for the long term benefit of the community through effective asset management	Infrastructure & Development	Effective management of assets, resources, compliance, risk and WHS	Responsible asset management	25%
Leading our community	We are a leader and partner that acts with integrity and upholds our community's best interests	Deploy the Council's resources effectively to deliver value while being financially responsible.	4.2.2.1 Produce and monitor the Annual Budget in line with the long term financial management plan	Corporate & Community Services	Effective management of assets, resources, compliance, risk and WHS	Effective resource use and financial management	25%
Leading our community	We responsibly manage our community's resources to deliver what matters most	Deploy the Council's resources effectively to deliver value while being financially responsible.	4.2.2.2 Prepare Council's Annual Plan and monitor the progress of actions	Stakeholder Engagement	Effective management of assets, resources, compliance, risk and WHS	Effective resource use and financial management	25%
Leading our community	We responsibly manage our community's resources to deliver what matters most	Deploy the Council's resources effectively to deliver value while being financially responsible.	4.2.2.3 Complete the project to investigate options for the future Glenorchy War Memorial Pool redevelopment	Infrastructure & Development	Effective management of assets, resources, compliance, risk and WHS	Effective resource use and financial management	80%
Leading our community	We are a leader and partner that acts with integrity and upholds our community's best interests	Manage the city's assets responsibly for the long-term benefit and growth of the community	4.2.2.4 Actively pursue external grant funding to support and deliver on strategic priority projects including Tolosa Park Stage B and the Glenorchy War Memorial Pool	Stakeholder Engagement	Effective management of assets, resources, compliance, risk and WHS	Effective resource use and financial management	25%

Leading our community	We responsibly manage our community's resources to deliver what matters most	Manage compliance and risk in Council and the community through effective systems and processes.	4.2.3.1 Actively manage Council's strategic risks within their agreed risk appetites and provide regular status reports	Corporate & Community Services	Effective management of assets, resources, compliance, risk and WHS	Effective risk management and compliance	139
Leading our community	We responsibly manage our community's resources to deliver what matters most	Manage compliance and risk in Council and the community through effective systems and processes.	4.2.3.2 Manage Council's information assets within statutory requirements	Corporate & Community Services	Effective management of assets, resources, compliance, risk and WHS	Effective risk management and compliance	259
Leading our community	We responsibly manage our community's resources to deliver what matters most	Manage compliance and risk in Council and the community through effective systems and processes.	4.2.3.3 Undertake property inspections to address possible fire abatement risks	Corporate & Community Services	Effective management of assets, resources, compliance, risk and WHS	Effective risk management and compliance	259
Leading our community	We responsibly manage our community's resources to deliver what matters most	Manage compliance and risk in Council and the community through effective systems and processes.	4.2.3.4 Assist businesses to comply with public health requirements	Infrastructure & Development	Effective management of assets, resources, compliance, risk and WHS	Effective risk management and compliance	259
Leading our community	We responsibly manage our community's resources to deliver what matters most	Manage compliance and risk in Council and the community through effective systems and processes.	4.2.3.5 Manage compliance with parking regulations	Corporate & Community Services	Effective management of assets, resources, compliance, risk and WHS	Effective risk management and compliance	259
Leading our community	We responsibly manage our community's resources to deliver what matters most	Manage compliance and risk in Council and the community through effective systems and processes.	4.2.3.6 Assist residents to comply with animal management requirements	Corporate & Community Services	Effective management of assets, resources, compliance, risk and WHS	Effective risk management and compliance	259
Leading our community	We responsibly manage our community's resources to deliver what matters most	Be a healthy, proactive and forward-looking organisation with a strong safety culture and a skilled and adaptable workforce.	4.2.4.1 Support staff to deliver services in a safe workplace through the Work Health and Safety Development Framework	Corporate & Community Services	Effective management of assets, resources, compliance, risk and WHS	Strong Safety Culture	259
Leading our community	We responsibly manage our community's resources to deliver what matters most	Be a healthy, proactive and forward-looking organisation with a strong safety culture and a skilled and adaptable workforce.	4.2.4.2 Support staff to continuously improve service delivery by implementing the Workforce Development Framework 2023-2026	Corporate & Community Services	Effective management of assets, resources, compliance, risk and WHS	Skilled and adaptable workforce	259
Leading our community	We responsibly manage our community's resources to deliver what matters most	Be a healthy, proactive and forward-looking organisation with a strong safety culture and a skilled and adaptable workforce.	4.2.4.3 Deliver Council's core technology project (Project Hudson) to enhance customer and user experience and productivity	Corporate & Community Services	Effective management of assets, resources, compliance, risk and WHS	Skilled and adaptable workforce	259
Leading our environment	We protect and manage our City's natural environment and special places now and for the future	Identify and protect our natural values and special places including Wellington Park and River Derwent foreshore	5.1.1.1 Participate in the Derwent Estuary Program by undertaking water quality monitoring and reporting	Infrastructure & Development	Natural environment protected	Increased access to natural areas	259
Leading our environment	We protect and manage our City's natural environment and special places now and for the future	Encourage access to and appreciation of natural areas	5.1.1.2 Support stewardship of our natural environment through education programs and volunteer events in natural reserves	Infrastructure & Development	Natural environment protected	Increased access to natural areas	259
Leading our environment	We protect and manage our City's natural environment and special places now and for the future	Encourage access to and appreciation of natural areas	5.1.1.3 Increase Council's tracks and trails network through the Berriedale-Windermere Foreshore Project	Infrastructure & Development	Natural environment protected	Increased access to natural areas	259
Leading our environment	We protect and manage our City's natural environment and special places now and for the future	Manage waste responsibly and innovate to reduce waste to landfill	5.1.1.1 Implement and update the Waste Management Strategy to reduce waste to landfill and identify preferred waste management arrangements beyond the life of the landfill	Infrastructure & Development	Natural environment protected	Responsible waste management	259
Leading our environment	We protect and manage our City's natural environment and special places now and for the future	Manage waste responsibly and innovate to reduce waste to landfill	5.1.1.2 Extend the Jackson Street landfill cell to increase Council's waste management capacity	Infrastructure & Development	Natural environment protected	Responsible waste management	259
Leading our environment	We protect and manage our City's natural environment and special places now and for the future	Work to reduce our resource use and carbon emissions and prepare the City for the impacts of a change climate	5.1.4.1 Implement the climate change mitigation and adaptation action plans	Infrastructure & Development	Natural environment protected	Reduced carbon emissions and adaptation to climate change	259
Leading our environment	We improve the quality of our urban and rural areas as places to live, work and play.	Make our city more liveable by providing and upgrading public spaces and facilities for people to come together	5.2.1.1 Implement and update the Public Toilet Strategy	Infrastructure & Development	Improved public places through infrastructure investment in public spaces, facilities, parks, and transport options	Infrastructure investment	259
Leading our environment	We improve the quality of our urban and rural areas as places to live, work and play.	Make our city more liveable by investing in our City's infrastructure	5.2.2.1 Deliver the capital works program to renew and upgrade Council infrastructure	Infrastructure & Development	Improved public places through infrastructure investment in public spaces, facilities, parks, and transport options	Infrastructure investment	179
Leading our environment	We responsibly manage our community's resources to deliver what matters most	Make our city more liveable by investing in our City's infrastructure	5.2.2.2 Commence the project to repair and reopen the Glenorchy War Memorial Pool	Infrastructure & Development	Improved public places through infrastructure investment in public spaces, facilities, parks, and transport options	Infrastructure investment	259
Leading our environment	We improve the quality of our urban and rural areas as places to live, work and play.	Improve our parks and public spaces for the wellbeing and enjoyment of our community	5.2.3.1 Complete Federally funded upgrades to the Lotina Woodlands, Coinda Park and Roseneath Reserve local playspaces	Infrastructure & Development	Improved public places through infrastructure investment in public spaces, facilities, parks, and transport options	Improved parks and playgrounds	509
Leading our environment	We improve the quality of our urban and rural areas as places to live, work and play.	Improve our parks and public spaces for the wellbeing and enjoyment of our community	5.2.3.2 Continue to advise on and oversee the development and maintenance of public art in the City's public spaces through the Public Art Oversight Group	Corporate & Community Services	Improved public places through infrastructure investment in public spaces, facilities, parks, and transport options	The public art oversight group meets once a quarter No: current Terms of Reference stipulates meeting at least once each six months or as required.	259

shaping our environment	We improve the quality of our urban and rural areas as places to live, work and play.	Improve our parks and public spaces for the wellbeing and enjoyment of our community	5.2.3.3 Complete the delivery of the federally funded sport and recreation projects at KDV Soccer Park and North Chigwell Soccer Club	Infrastructure & Development	Improved public places through infrastructure investment in public spaces, facilities, parks, and transport options	Improved parks and playgrounds	40%
shaping our environment	We improve the quality of our urban and rural areas as places to live, work and play.	Make our city more liveable by providing and upgrading public spaces and facilities for people to come together	5.2.3.4 Develop a new Pumptrack/Skatepark at Claremont	Infrastructure & Development	Improved public places through infrastructure investment in public spaces, facilities, parks, and transport options	Infrastructure investment	25%
shaping our environment	We improve the quality of our urban and rural areas as places to live, work and play.	Working proactively with providers, manage the City's transport infrastructure sustainably to secure accessible, safe and reliable transport options for everyone.	5.2.4.1 Provide road network infrastructure that supports public transport modes and meets the needs of the community	Infrastructure & Development	Improved public places through infrastructure investment in public spaces, facilities, parks, and transport options	Accessible, safe and reliable transport options	30%
shaping our environment	We improve the quality of our urban and rural areas as places to live, work and play.	Working proactively with providers, manage the City's transport infrastructure sustainably to secure accessible, safe and reliable transport options for everyone.	5.2.4.2 Review Urban Road Network to prioritise blackspot and vulnerable road users funding addressing identified safety issues	Infrastructure & Development	Improved public places through infrastructure investment in public spaces, facilities, parks, and transport options	Accessible, safe and reliable transport options	25%
shaping our environment	We improve the quality of our urban and rural areas as places to live, work and play.	Working proactively with providers, manage the City's transport infrastructure sustainably to secure accessible, safe and reliable transport options for everyone.	5.2.4.3 Provide a network of shared paths, footpaths and trails that is safe and provides access to people of all abilities	Infrastructure & Development	Improved public places through infrastructure investment in public spaces, facilities, parks, and transport options	Accessible, safe and reliable transport options	50%

Quarterly Report

Quarter 1 2025



ge: Kelvin Ball





Glenorchy City Council acknowledges the muwinina people as the traditional owners of this land. We recognise all Tasmanian Aboriginal people as the original owners and continuing custodians of the land and waters of this island, lutruwita. We pay our respect to Aboriginal Elders, past and present. We commit to working in a way that welcomes and respects all Aboriginal and Torres Strait Islander people.

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STRATEGIC AND OPERATIONAL HIGHLIGHTS FOR THE QUARTER

I am pleased to bring you the strategic and operational highlights for the first quarter of the 2024/2025 financial year, ending 30 September 2024.

It was another busy quarter for Council.

This quarter, we commenced delivery of a raft of activities against the Strategic and new 2024/25 Annual Plan.

There was also another election; this time for the Office of the Deputy Mayor. The position became vacant following the election of former Deputy Mayor Sue Hickey to the role of Mayor in June 2024.

At the July 2024 meeting, Council elected Alderman Russell Yaxley to the Office of Deputy Mayor. Congratulations Deputy Mayor Yaxley!

At the July meeting, Council also appointed Elected Members to the following vacant positions:

- Alderman Russell Yaxley to the Audit Panel
- Alderman Shane Alderton as a proxy member of the Audit Panel
- Alderman Russell Yaxley to the General Manager's Performance Review Committee
- Alderman Justin Stringer to the Glenorchy Carols Grants Working Group.

Congratulations to all Elected Members on their new roles.

CITIZENSHIP CEREMONIES

In two separate citizenship ceremonies during the quarter, 142 people became Glenorchy City Council's newest Australian citizens. It is always a privilege to witness this important event and to welcome new families and individuals who will play their part in building our shared future as a City.

2024/25 WORKS PROGRAM

Council has kicked off its 2024/25 works program with a bang. Not only is Council continuing to maintain its asset base worth more than \$1 billion, but it is also investing in the community, which is continuing to grow at a rate of 500 new residents every year. Key 24/25 projects will include:

- 9 million in capital works
- Resurfacing more than 7km of roads
- Replacing more than 4km of footpaths
- Black spot projects at Grove Rd and Anfield St, Main Rd at Austins Ferry and Kensington St school crossing
- \$1.1 million on flood mitigation works
- \$1 million for parks and reserves, including the Claremont pump track
- \$450,000 for tracks and trails at Windermere Bay
- Commencement of work to repair and reopen the Glenorchy War Memorial Pool

GLENORCHY WAR MEMORIAL POOL

Following on from the State Government's election commitment to allocate \$5 million in funding for the repair and reopening of the Glenorchy War Memorial Pool, planning and testing works are well underway.

After an engineering assessment of the required pool and plant works, the teams have now assessed the administration, changerooms, and toilet facilities and developed cost estimates for both the required and recommended works.

These works are now being refined into detailed designs for approval, which will then form contract documentation for tender once we have received grant deed from the State Government.

GLENORCHY WAR MEMORIAL POOL – BUSINESS CASE AND GRANT FUNDING OPPORTUNITIES

Prior to the August Council meeting, Elected Members were thoroughly briefed by MI Global and Council officers on the best option for a redeveloped pool, taking into consideration:

- the community's wishes
- the return on investment
- the social, health, and community benefits

During MI Global's first round of consultation, it became clear to Council that the community wanted to retain a contemporary swimming pool facility in Glenorchy.

Council endorsed MI Global's recommended option 4 which consists of an indoor aquatic facility with semi open-air pool functionality, including an indoor 50m pool, indoor 20m warm water learn to swim/program pool, plus the addition of a wellness hall (including gym, spa, sauna, and steam facility). This option will now proceed to the final stage of developing a business case.

Further, Council endorsed the lodgment of a grant application to the Federal Government under the uPPP grant program for the full amount possible and will seek to negotiate the shortfall.

Council's October open workshop will involve a presentation on the business case for the pool.

SAFETY FOCUS

Council is continuing to focus on and advocate for a safer city. Aside from continuing to work with Tasmania Police in a collaborative and coordinated way, our Communities Team have been working tirelessly every weekday, weather dependent, on Council lawns engaging with young people and connecting them with the services they need.

Council is committing significant resources to this youth engagement work but is restricted by the lack of a safe space to provide the care and attention many of these young people need. Therefore, Council is lobbying government for a dedicated space for a youth hub.

On 28 August more than 50 people attended our business breakfast event, which was designed to assist businesses with antisocial behaviour and crime. Businesses were given presentations on their legal rights as well as security measures they can implement to keep their business and staff as safe as possible. Business leaders also took the opportunity to speak about their experiences.

On 11 September we hosted a Community Yarn. At this session, Dr Zelinda Sherlock provided practical advice on how community can keep themselves safe in the event of witnessing anti-social or criminal behaviour. We then heard from community members about their concerns and experiences in dealing with anti-social behaviour.

The next step is to host a round table discussion where we will bring together key community stakeholders to discuss solutions for the issues we are facing.

Glenorchy is not alone in dealing with these issues, and Council is determined to do what we can to tackle them and support our community at every opportunity.

CULTURAL CELEBRATION GRANTS APPLICATION AND GUIDELINES

At its August meeting, Council approved an updated Cultural Celebration Grants Application and Guidelines form and endorsed the appointment of Mayor Sue Hickey to the Cultural Celebration Grants Working Group. Congratulations Mayor Hickey!

Cultural Celebration Grant applications are open until funding has been exhausted. See our website for more information.

MEDIA AND COMMUNICATIONS FRAMEWORK

At its August meeting, Council endorsed a Media and Communications Policy as a part of a new Media and Communications Framework. The Framework consists of a:

- Media and Communications Policy that provides objectives and guidelines that govern how Council communicates with stakeholders. It also gives guidance on the role of the Mayor as the official spokesperson of Council.
- Social and Other Media Directive that sets out Council's position about the rights and obligations of employees when engaging with the media, including social media.
- Media and Communications Plan that sets out why, with whom and how Council communicates with its stakeholders. It also aims to support Council's communications by guiding transparency and structured decisions about content and messaging.
- Media and Communications Toolkit that includes a set of resources that provide practical guidance for Council staff and Elected Members to communicate with stakeholders.

REVIEW OF COUNCIL'S CODE FOR TENDERS AND CONTRACTS

Council's previous Code for Tenders and Contracts expired on 28 September 2024. Following a review, at its August meeting, Council adopted a revised and simplified Code for Tenders and Contracts, which is now available on our website.

CHILD AND YOUTH SAFE ORGANISATIONS

At its September meeting, Council received an update and noted the new Youth Safe Organisation Framework, Compliance Guidance, and Community Consultation report.

Council also adopted its first Safeguarding Children and Young People Policy. The Policy has been developed to help Council meet its mandated obligations under the *Tasmanian Child and Youth Safe Organisations Act 2023*.

B KINDER COUNCIL

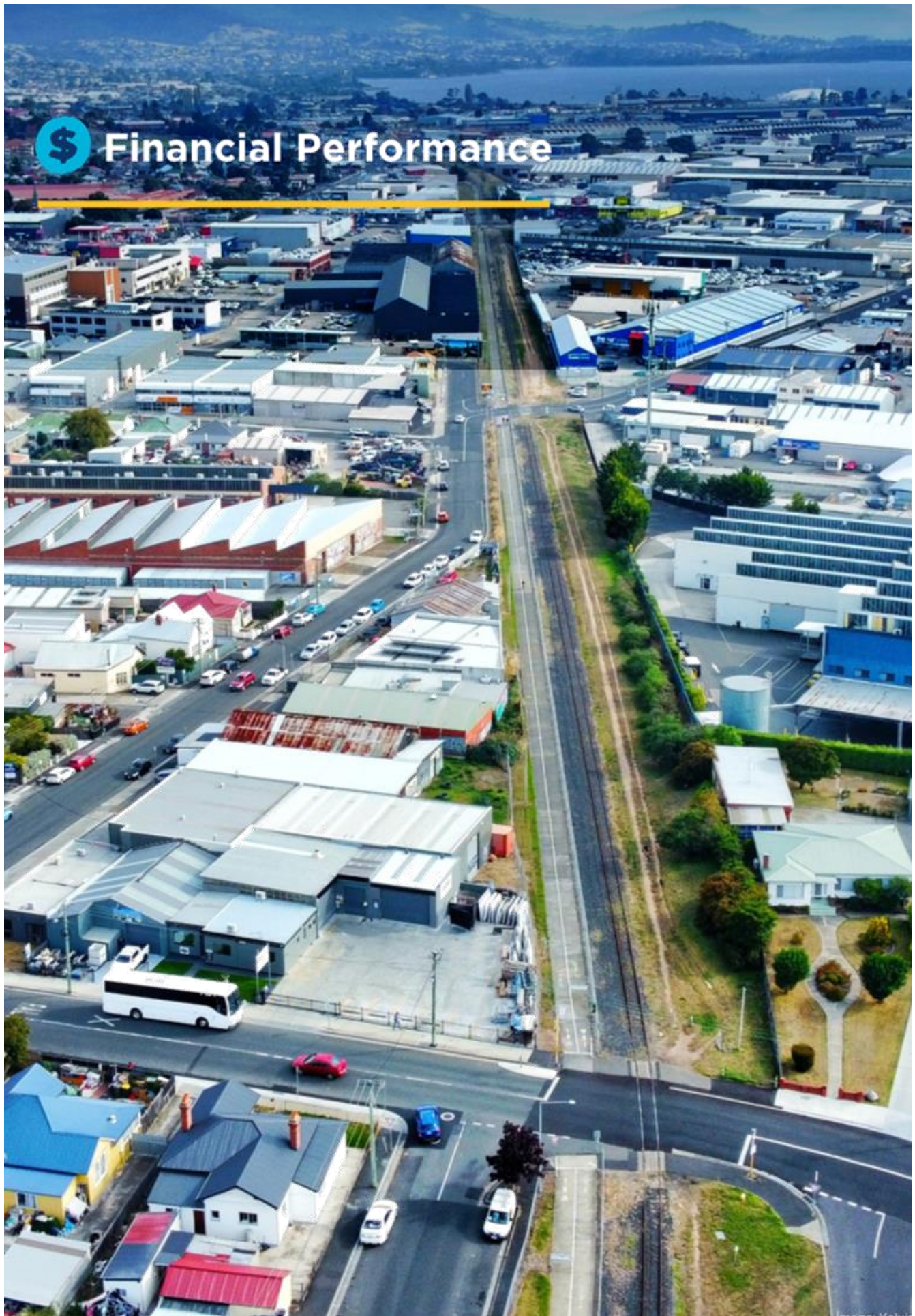
At its September meeting, Council resolved for Glenorchy City Council to become the first b kinder Council in Australia.

The b kinder foundation was established in honour of 12 year old Billie Kinder who died in a tragic accident in 2016. The foundation was set up by her family to empower and inspire others through kindness, a quality that Billie consistently demonstrated.

Council's childcare centres have already integrated the b kinder program to give their children the skills to become kinder, more empathetic and compassionate. Becoming a b kinder Council is a great way for Council's to expand on its current programs and activities to build positive pathways through kindness, compassion, empathy and belonging.

Tony McMullen
General Manager
October 2024





Quarterly Financial Performance Report

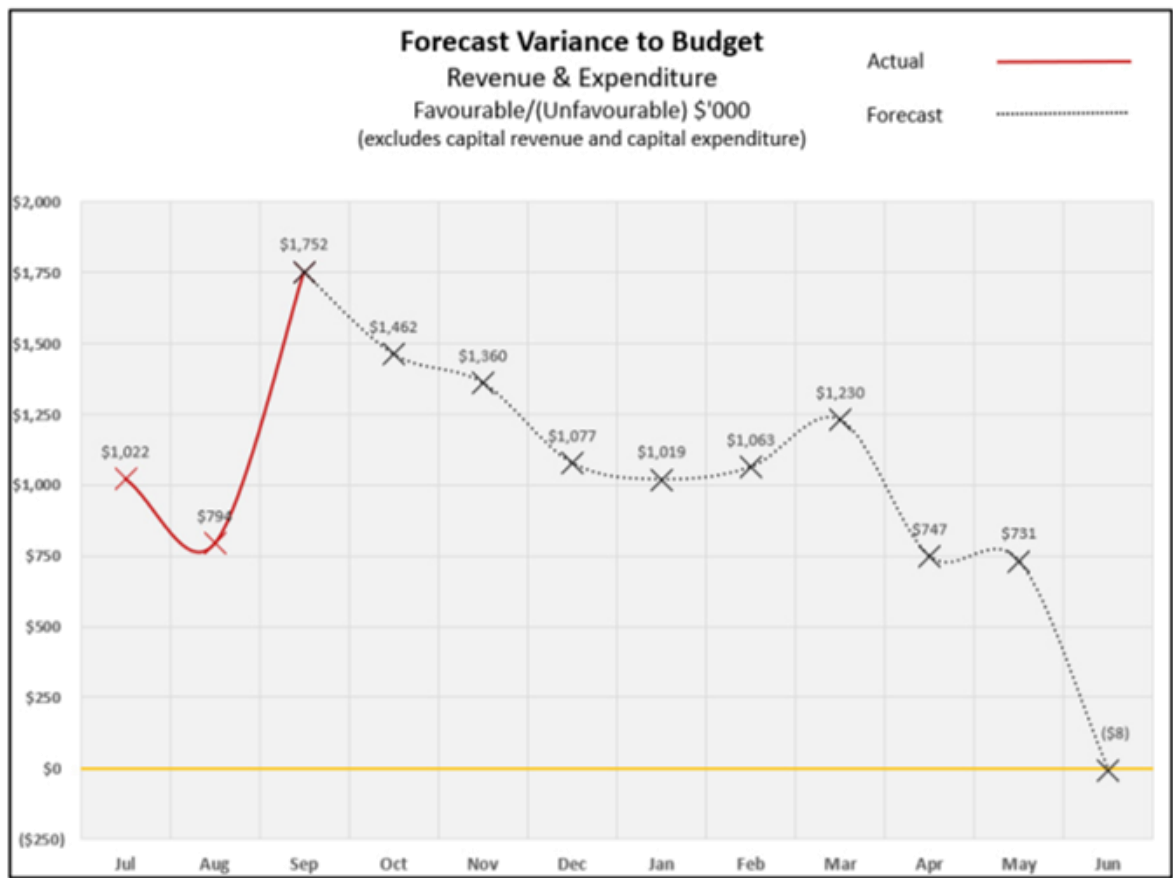
For the year to-date ending 30 September 2024

OPERATING SUMMARY

Council's operating result as at the end of the September 2024 quarter is \$1.752m better than the budgeted position. The favourable variance is the combined result of \$106k less revenue than budgeted and \$1.858m less expenditure than budgeted.

The forecast result to 30 June 2025 is a small \$8,000 deficit.

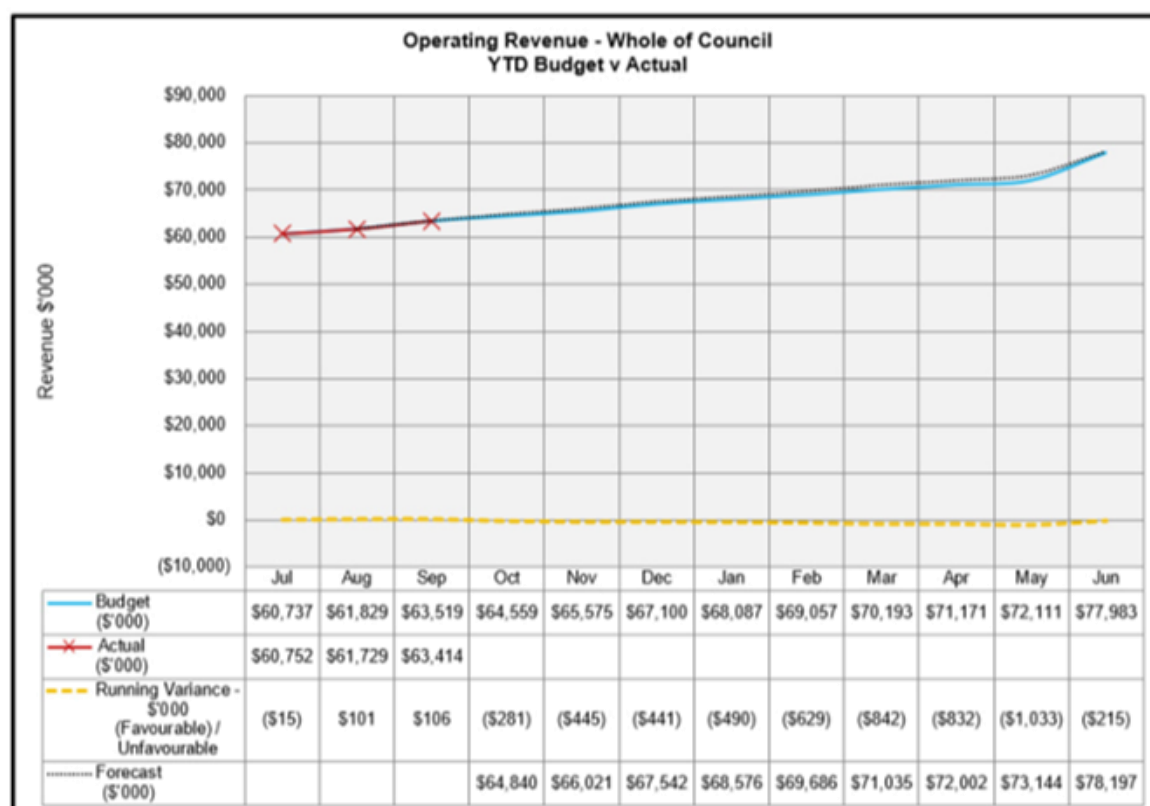
OPERATING FORECAST TO 30 JUNE 2025



Note 1: The data in this chart is a compilation of actual, budget and forecast revenue / expenditure. It is recalculated each month to ensure it represents the most up-to-date analysis of Councils financial position which may result in differences to previously reported charts.

OPERATING REVENUE

Year-to-date operational revenue is \$63.414m compared to budgeted operational revenue of \$63.519m. This represents an unfavourable result of \$106k or 0.20% against budget.



Note: operational revenue does not include capital revenue or gain/loss on sale of assets but does include unspent grants received in the prior year.

NOTE 1 – RATES REVENUE

Favourable against the year-to-date \$51.807m budget by \$103k, noting cessation of the rating exemption for the former Derwent Entertainment Centre.

NOTE 2 – USER CHARGES AND LICENCES REVENUE

Unfavourable against the year-to-date \$9.709m budget by \$205k, noting reduced landfill user fees \$110k, planning fees of \$73k and land certificate fees (s132 and s337) \$24k.

NOTE 3 – INTEREST ON INVESTMENTS

Interest received on at-call accounts received to date \$105k less \$153k partial write-back to 2023/24 for term deposits maturing in 2024/25. The current reporting anomaly of negative interest will be corrected by maturing term deposits of \$5m in October followed by \$22m in November.

NOTE 4 – OPERATING GRANTS

Favourable against the year-to-date \$1.261m budget by \$153k, noting additional financial assistance grant \$118k and child care DECYP early learning \$82k, less multicultural centre grant yet to received \$75k.

NOTE 5 - CONTRIBUTIONS- CASH

Favourable against the year-to-date \$11k budget by \$35k, noting a planning cash-in-lieu payment of \$35k has been received.

NOTE 6 - TASWATER INCOME

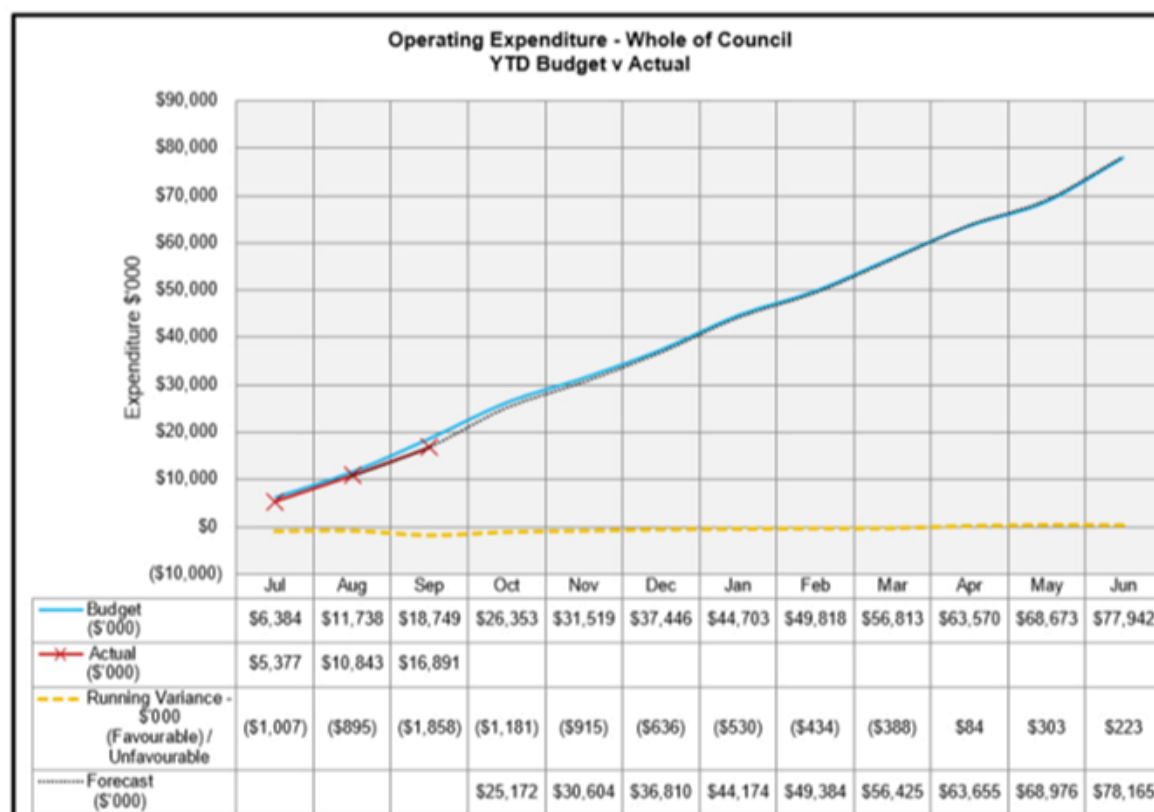
On track noting one dividend payment of \$543k has been received against an annual budget of \$2.172m.

NOTE 7 - OTHER INCOME

Favourable against the year-to-date \$34k budget by \$11k, noting child care inclusion support subsidies of \$11k.

OPERATING EXPENDITURE

Year-to-date operational expenditure is \$16.891m compared to budgeted expenditure of \$18.749m. This represents a favourable result of \$1.858m or 9.9% against budget

**NOTE 8 - EMPLOYMENT COSTS**

Favourable against the year-to-date \$7.851m budget by \$642k, representing positions remaining vacant for extended periods during the recruitment process.

NOTE 9 – MATERIALS AND SERVICES EXPENDITURE

Favourable against the year-to-date \$6.303m budget by \$1.044m, noting underspends in the core information systems replacement project \$688k, waste management kerbside contractors \$342k, regional contributions awaiting invoices \$169k, insurance premiums \$114k and public street lighting \$105k offset by software licences paid in advance \$321k.

NOTE 10 – DEPRECIATION AND AMORTISATION

Favourable against the year-to-date \$4.452m budget by \$196k, noting these figures are on an accrual basis until asset reconciliations are undertaken in October 2024 for November reporting.

NOTE 11 – FINANCE COSTS

Favourable against the year-to-date \$35k budget by \$12k, noting accrued interest on fleet leases.

NOTE 12 – BAD AND DOUBTFUL DEBTS

No bad or doubtful debts identified this year to date.

NOTE 13 – OTHER EXPENSES

Unfavourable against the year-to-date \$108k budget by \$36k, noting accrued fleet lease expenses.

NON-OPERATING REVENUE**NOTE 14 – CONTRIBUTIONS – NON-MONETARY ASSETS**

No non-monetary assets have been received to date against an annual budget of \$3.675m.

NOTE 15 – GAIN OR LOSS ON DISPOSAL OF ASSETS/DERECOGNITION OF ASSETS

Profit on disposal of assets is \$51k against the annual \$1.375m budget loss, noting \$31k expenses in preparing land for sale and \$82k revenue received from the sale of fleet and plant.

NOTE 16 – CAPITAL GRANTS

Capital grant revenue is \$1.877m against the annual \$8.435m budget, noting roads to recovery \$519k, playground renewals \$337k, blackspot projects \$121k and VRUP projects \$52k.

NOTE 17 – CONTRIBUTIONS – MONETARY

Contributions - Monetary revenue is \$9k against no budget allocation, noting a contribution for stormwater WSUD has been received.

NON-OPERATING EXPENDITURE**NOTE 18 – ASSETS WRITTEN OFF**

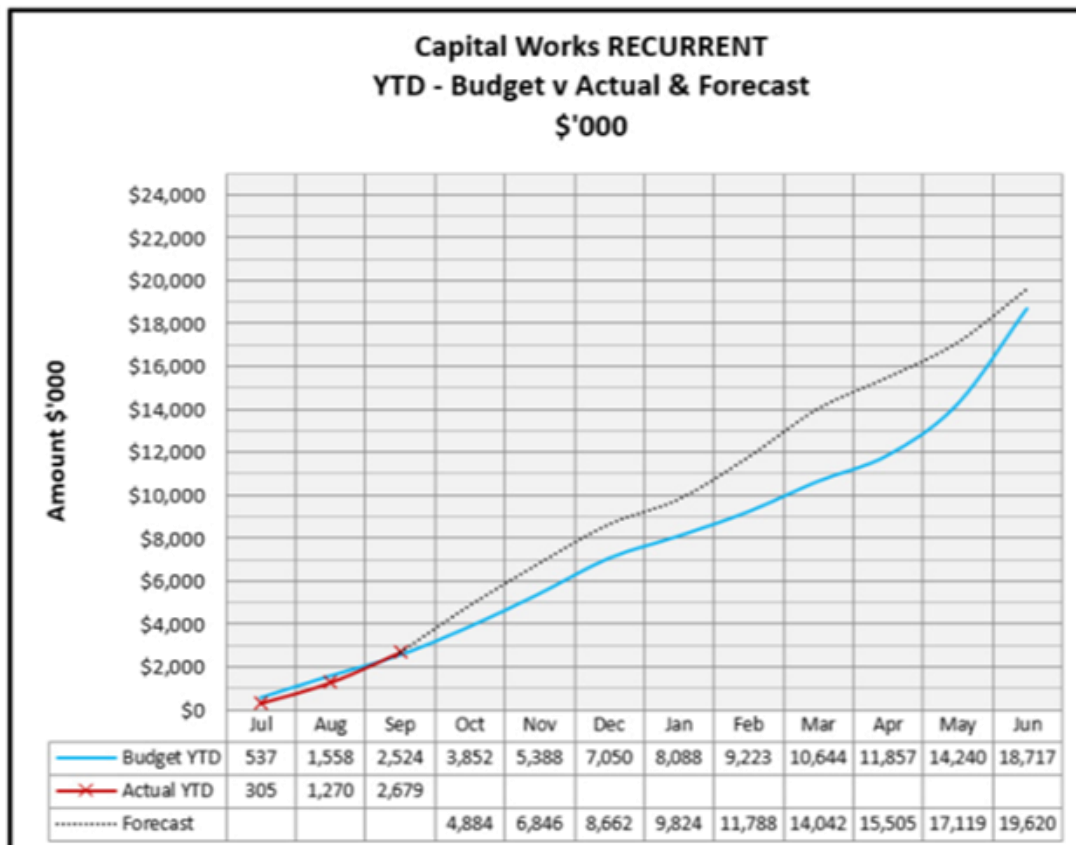
No assets have been written off to date against an annual budget of \$700k.

CAPITAL WORKS

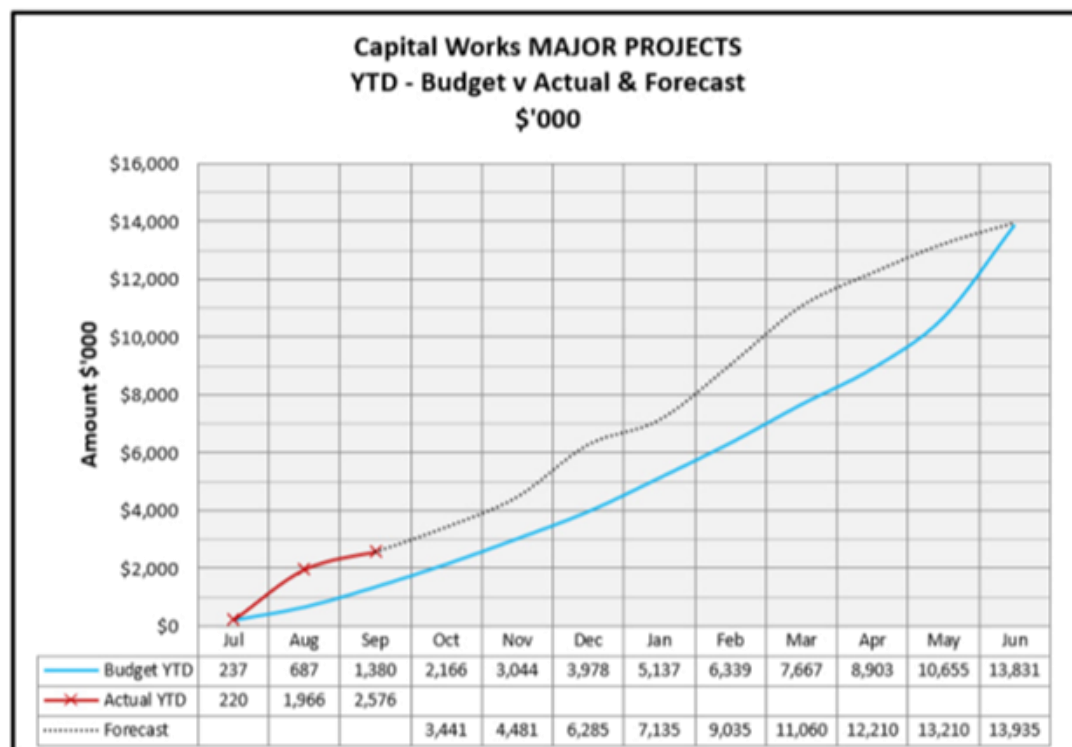
Year-to-date Capital Works expenditure is \$5.255m against a combined annual budget of \$32.548m and a combined annual forecast spend of \$33.548m. At the end of September:

- \$2.679m or 14% of the annual Recurrent projects budget has been expended
- \$2.576m or 19% of the Major projects budget has been expended

CAPITAL PROGRAM - RECURRENT



CAPITAL PROGRAM – MAJOR GRANT FUNDED PROJECTS*

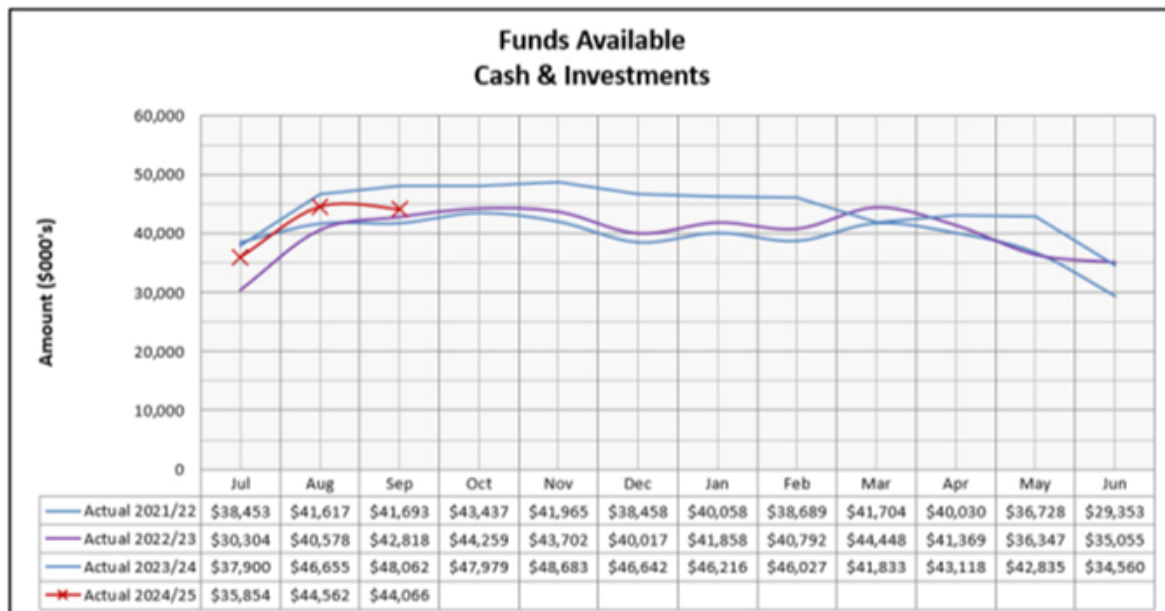


*The following projects form the Grant Funded / Major Projects capital works program:

Project	YTD Actual	ANNUAL Budget	ANNUAL Forecast
101059 - KGV Soccer Design & Construction	\$329,234	\$1,755,000	\$1,754,234
101250 - North Chigwell Football and Community Facility	\$817,028	\$4,065,000	\$4,067,028
101536 - Tolosa Park Dam Rehabilitation	\$857,145	\$1,373,000	\$1,357,145
101915 - Grant - Playground Renewal - Federal	\$424,305	\$250,000	\$1,287,817
102173 - Landfill Lift	\$0	\$700,000	\$700,000
102174 - Benjafield Child Care Creation	\$2,500	\$500,000	\$502,500
102175 - Landfill Office	\$54,031	\$450,000	\$450,000
102176 - Chambers Renovations - Stage 2	\$0	\$200,000	\$200,000
102177 - Roseneath Reserve	\$0	\$440,000	\$0
102178 - Lutana Woodland	\$0	\$127,772	\$0
102179 - Battersby Drive	\$0	\$90,000	\$0
102180 - Coolinda Reserve	\$0	\$380,045	\$0
102231 - Glenorchy Pool Repairs	\$58,221	\$3,500,000	\$3,526,039
Various Unbudgeted Expenditure	\$33,539	\$0	\$89,753
TOTALS	\$2,576,003	\$13,830,817	\$13,934,516

CASH AND INVESTMENTS

At 30 September 2024, actual funds available in cash and investments totalled \$44.066m compared to \$48.062m for the same period last year. The cash balance is reduced due to in full repayment of the Vehicle Replacement Overdraft Facility on 30 June 2024 and major Federal Government capital works projects being paid in arrears instead of advance.



RATES COLLECTIONS

At 30 September 2024, Rates collected totalled 38.88% compared to 44.08% in the prior year. .

The primary reason for the reduction in rates collected compared to last year is the Department of Housing have historically paid the annual rates in full on the first instalment date. However this year they are paying by instalments across the four individual instalment dates from August 2024 through to May 2025.

If the Department of Housing had paid the rates in full upfront, the comparative collection rate for this year would have been better than last year at 42.76%.

STATEMENT OF COMPREHENSIVE INCOME

30 September 2024

Year-to-Date (YTD)	Note	2025 Budget \$'000	2025 Actual \$'000	2024 Actual \$'000	2025 Variance Actual to Budget
Operating Revenue					
Rates	1	51,807	51,910	49,177	▲
User charges and licences	2	9,709	9,504	9,364	▼
Interest	3	155	(48)	264	↔
Grants	4	1,261	1,414	1,265	▲
Contributions - cash	5	11	45	2	▲
Investment income from TasWater	6	543	543	-	↔
Other income	7	34	45	73	▲
Total Operating Revenue		63,519	63,414	60,145	▲
Operating Expenditure					
Employment costs	8	7,851	7,209	5,749	▼
Materials and services	9	6,303	5,259	4,839	▼
Depreciation and amortisation	10	4,452	4,256	4,551	▼
Finance costs	11	35	23	32	▼
Bad and doubtful debts	12	-	-	-	↔
Other expenses	13	108	144	70	▲
Total Operating Expenditure		18,749	16,891	15,240	▼
Total Operating Surplus/(Deficit)		44,770	46,522	44,905	▲
Non-Operating Revenue					
Contributions - non-monetary assets	14	-	-	-	↔
Net gain/(loss) on disposal of property, infrastructure, plant, and equipment	15	(3)	51	(30)	▲
Capital grants received specifically for new or upgraded assets	16	1,693	1,877	5,169	▲
Contributions - Monetary	17	-	9	-	▲
Total Non-Operating Revenue		1,691	1,937	5,138	▲
Non-Operating Expense					
Assets written off	18	-	-	-	↔
Total Non-Operating Expense					
Total Surplus/(Deficit)		46,461	48,460	50,043	▲

STATEMENT OF FINANCIAL POSITION

30 September 2024

	2025 YTD \$'000	2024 YTD \$'000
Assets		
Current assets		
Cash and Cash Equivalents	6,202	5,201
Trade and Other Receivables	38,577	33,566
Inventories	173	135
Assets Classified as Held for Sale	1,876	1,197
Contract Assets	0	0
Current Investments	37,572	41,523
Other Current Assets	39	70
Total Current Assets	84,439	81,693
Non-Current Assets		
Property, Infrastructure, Plant and Equipment	1,224,466	859,023
Investment in Water Corporation	177,228	168,374
Intangible Assets	0	(16)
Right of Use Assets	1,923	1,529
Other Non-Current Assets	17,831	16,556
Total Non-Current Assets	1,421,448	1,045,465
Total Assets	1,505,887	1,127,158
Liabilities		
Current Liabilities		
Trade and Other Payables	(4,775)	(4,116)
Provisions	(5,865)	(4,984)
Borrowings	(336)	(637)
Trust Funds and Deposits	(735)	(777)
Lease Liabilities	(865)	(559)
Contract Liabilities	0	0
Other Liabilities	(923)	(155)
Total Current Liabilities	(13,499)	(11,228)
Non-Current Liabilities		
Provisions	(12,615)	(7,536)
Borrowings	(182)	(984)
Lease Liabilities	(1,136)	(1,037)
Total Non-Current Liabilities	(13,934)	(9,558)
Total Liabilities	(27,433)	(20,785)
Net Position	1,478,454	1,106,373



GCC Annual Plan Measures

MAKING LIVES BETTER

We continue to be a safe, inclusive, active, healthy and vibrant community. We will focus on developing a hub of multiculturalism, arts and culture.

PERCENTAGE OF DIRECT COUNCIL OPERATIONAL EXPENDITURE ON PRIORITY COMMUNITY SERVICES

Program	Targeted Expenditure	Employee Effort	Total Direct Expenditure	Percentage of Total Direct Expenditure	Annual Budget	Percentage of Program Annual Budget Spent
Bushfire Mitigation	\$9,898	\$59,941	\$69,839	1.97%	\$582,170	12.00%
Childcare	\$41,159	\$650,320	\$691,479	19.49%	\$2,890,718	23.92%
Community Development	\$86,228	\$215,151	\$301,380	8.50%	\$1,548,378	19.46%
Community Engagement	\$15,683	\$98,669	\$114,352	3.22%	\$568,129	20.13%
Community Recognition	\$1,085	\$11,766	\$12,851	0.36%	\$68,794	18.68%
Environment	\$28,466	\$88,252	\$116,718	3.29%	\$916,344	12.74%
Glenorchy Jobs Hub	\$2,330	\$125,796	\$128,126	3.61%	\$594,206	21.56%
Moonah Arts Centre	\$28,705	\$136,828	\$165,533	4.67%	\$686,151	24.12%
Parks & Recreation	\$139,023	\$326,078	\$465,101	13.11%	\$2,447,803	19.00%
Roads & Stormwater	\$406,404	\$340,531	\$746,935	21.06%	\$3,486,140	21.43%
Urban Services	\$220,464	\$247,783	\$468,247	13.20%	\$2,159,964	21.68%
Vegetation Control	\$94,826	\$171,759	\$266,585	7.52%	\$1,096,971	24.30%
Total Direct Expenditure - Priority Community Services	\$1,074,272	\$2,472,874	\$3,547,145	100%	\$17,045,768	

NUMBER OF CUSTOMERS RECEIVING SERVICES THROUGH COUNCIL PARTNERS

In July 2024, digital learning sessions were held at various community locations, focusing on upskilling and employment enhancement. These included one-on-one sessions at Glenorchy Jobs Hub, Goodwood Community House, and Eureka Clubhouse, along with group sessions at Eureka, Chigwell Gardens, and West Moonah Neighbourhood House. Participants engaged in digital workshops aimed at improving job skills, particularly for CALD (Culturally and Linguistically Diverse) people and MRC clients. The 26TEN program supported these initiatives by providing targeted sessions for refugee clients and helping participants with digital literacy and computer skills.

In August and September, the program continued with further digital drop-ins and one-on-one learning sessions across locations such as Mates4Mates, Goodwood Community House, and Eureka Clubhouse. These sessions covered a wide range of topics, from Canva for Business to navigating misinformation and completing valuation rise objection forms. Workshops on filmmaking and social media skills were also introduced. The program remained focused on upskilling veterans and diverse community members. Ongoing efforts were made to prepare for Get Online Week by ensuring digital inclusion and empowerment for participants across the region. In total, 201 people were supported through these various digital learning sessions and workshops.

NUMBER OF CULTURAL GROUPS USING THE MULTICULTURAL HUB SPACE AND TYPE OF ACTIVITIES UNDERTAKEN

The Multicultural Hub commercial kitchen development has been completed.

Ongoing preparations are being made for Mental Health First Aid (MHFA) training for staff, with a focus on delivering the training to Nepali-speaking international students as a trial. Wesley LifeForce Suicide Awareness and Intervention Training (SALT) was delivered to full capacity, and discussions with Karadi for the full gear program for September/October were finalised. MHFA training for Council staff has been confirmed for October 22-23, with high interest leading to the development of a second course for late 2024 or early 2025.

NUMBER OF MAYORAL ADVOCACY LETTERS AND DEPUTATIONS

Date of letter	Correspondence to	Subject	Author
3 July 2024	Rob Higgins Deputy Chair Foodbank Tasmania	Community need	Sue Hickey Mayor
17 July 2024	The Hon. Nic Street Minister for Sport and Events cc. The Hon. Nic Street, Minister for Finance	Tasmanian Liberal Government's commitment to building a new community indoor multi- court facility in the Glenorchy municipality	Sue Hickey Mayor
31 July 2024	The Hon. Jeremy Rockliff Premier of Tasmania With carbon copies to: Hon. Jo Palmer Hon. Roger Jaensch Hon. Guy Barnett Hon. Madeleine Ogilvie Simon Behrakis MP	Crime and antisocial behaviour in Glenorchy	Sue Hickey Mayor and all Elected Members
12 August 2024	Craig Limkin Secretary Department of State Growth	Draft Tasmanian Walk, Wheel, Ride Strategy 2024- 2034	Sue Hickey Mayor
14 August 2024	Vos Constructions	Congratulating employees for their action at Moonah Cignall Newsagency	Sue Hickey Mayor
22 August 2024	Cr Leigh Gray Mayor Brighton Council	Antisocial behaviour - Gagebrook	Sue Hickey Mayor
22 August 2024	Damien Jacobs CEO Glenview Community Services	Letter of support - Glenview's application for a residential based Aged Care Services Grant	Sue Hickey Mayor

29 August 2024	Premier and all members of Tasmanian Parliament. Mayor, Hobart City Council Mayor, Clarence City Council Mayor, Derwent Valley Council The Commissioner for Police The Commissioner for Children and Young People The Council of the Ageing Victims of Crime Tas The Migrant Resource Centre The Multicultural Council of Tasmania	Antisocial behaviour - Gagebrook	Sue Hickey Mayor
30 August 2024	Keith Deverell	Letter of support for Music Tasmania application for funding from the Revive Live Grants Program	Sue Hickey Mayor
18 September 2024	Arts Tasmania	Letter of Support for Moonah Arts Centre's application for funding from Arts Tasmania	Sue Hickey Mayor

NUMBER OF COUNCIL SUBMISSIONS ON POLICY AND LEGISLATIVE REVIEW

Council made no submissions on state policy or legislative reviews this quarter.

COUNCIL LAND RELEASED FOR HOUSING DEVELOPMENT AND SOCIAL HOUSING PROJECTS (NUMBER OF LOTS)

Council released 23A Norman Circle, Glenorchy and 11 and 11a Nielson Drive, Montrose in the 2023/24 financial year, and they were settled in Q1 224/24.

NUMBER OF REZONING AMENDMENTS PREPARED TO INCREASE CAPACITY FOR HOUSING

The Mill Lane Precinct amendment is being assessed by the Tasmanian Planning Commission. A hearing was held on 18 September 2024. The amendment proposes to rezone the land within the Mill Lane Precinct to an Urban-Mixed Use Zone so existing business can stay while providing opportunities for well-designed apartments close to the Glenorchy CBD.

A planning scheme amendment has been lodged for the Royal Agricultural Society of Tasmania showgrounds to facilitate redevelopment of the site to accommodate residential development. The application is still not valid.

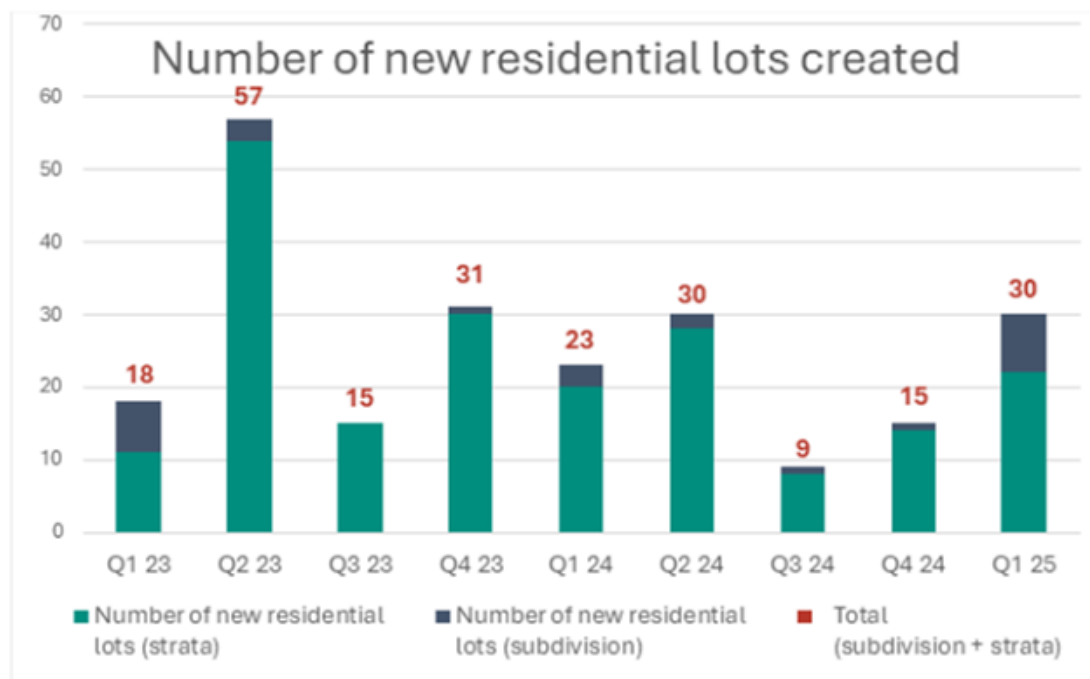
Work on the review of the Regional Land Use Strategy continues, with officers participating in workshops and reviewing proposed methodology that will assist in developing growth management strategies (including for residential development). The first stage of community engagement commenced on 23 September 2024 with the release of the project website. The website includes surveys and seeks feedback on the State of Play document which sets out the key issues for the region.

NUMBER OF NEW RESIDENTIAL LOTS CREATED

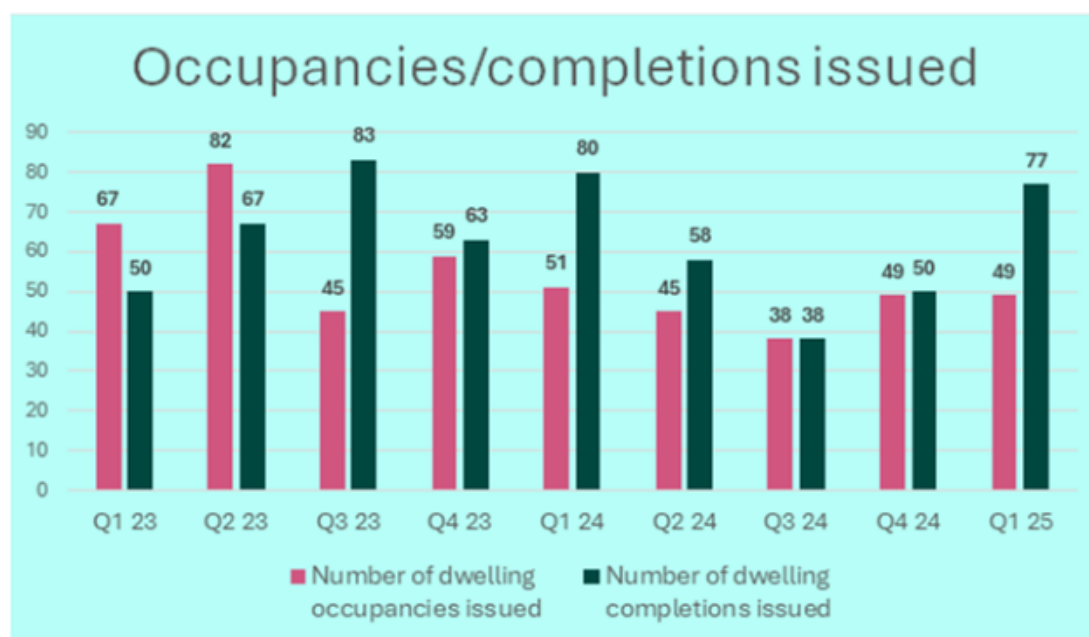
New lots created by subdivision remains relatively low, totalling eight for the quarter, however it is above the three year average of just under five. 22 new lots were created by strata which is consistent with the average of 23 per quarter over the last three years.

Strata lot creation continues to dominate over subdivision because of the reduced availability of broad acre land and the increased yield it provides.

Building and Plumbing permit numbers have decreased by a quarter whereas notifiable work numbers have risen in line with the previous change in regulations. Strata applications have only a slight increase compared to this time last year. Completion numbers are still high, reflecting the follow up work being done in the background to finalise older permits.



NUMBER OF DWELLING COMPLETIONS



STATUS OF THE NORTHERN SUBURBS TRANSIT CORRIDOR (NSTC) PROJECT

The NSTC forms an important part of the City Deal. Funding for the NSTC includes: \$2,500,000 (planning) and \$22,500,000 (construction). This quarter, the CEO provided input to an Implementation Board meeting and has met on several occasions with Greater Hobart CEOs and the State Government to discuss a path forward.

BUILDING IMAGE AND PRIDE

We will show our pride as a city and others will see it

NUMBER OF YOUTH EMPLOYMENT, TRAINING AND REFERRALS

Since July 2024, numerous youth engagement and community activities have been organised in collaboration with Youth Beat on the Council Lawns, featuring basketball tournaments, chess competitions, and barbecues. These events have seen strong participation from young people in the area.

The Thrive to 25 Network and the Safe City Working Group have been actively involved in improving community engagement and safety through meetings and network-building efforts. In July, the Safe City Working Group evolved into the Safe & Clean City Working Group, incorporating new members.

The First Tee Program, aimed at 60 students per session at Cosgrove High School and Montrose Bay High, has been finalised and is set to launch in October, with ongoing discussions for establishing a Youth Group. Key initiatives have focused on tackling youth disengagement, mental health training, and fostering collaboration with various community organisations.

Throughout August and September, youth and community activities expanded further, including RU OK BBQs and regular youth programs in partnership with Mission Australia. The Youth Engagement Officer has been actively meeting with students at local high schools and participating in events such as the Cosgrove High Assembly and Thrive to 25 Network meetings.

Significant progress has been made with ongoing youth activities on the Council Lawn, engaging 25-30 youths daily. The Safe & Clean City Working Group continued to meet, and preparations were made for future programs, such as the Full Gear program at Karadi. Additionally, consultations and planning are underway for public safety and child safeguarding measures, along with other youth engagement initiatives. These efforts include the continuation of the popular Happy Mentor Program and upcoming community events like the Family Fun Day and the Basketball Against Racism event.

In July, August and September KSS reported 32 incidents on the GCC forecourt which includes low level ASB and crime.

RECRUITMENT OF A YOUTH ENGAGEMENT OFFICER

A Youth Engagement Officer has been recruited and has begun working with the community and stakeholders.

NUMBER OF PROGRAMS DEVELOPED AND RUN BY COUNCIL

During the quarter, a cross-department safety project was conducted. The project featured two key events aimed at enhancing safety and inclusion in both the business and broader community:

- Business Safety Breakfast: Featured panellists including the Safe City Lead, Managing Director of Kevlar Security Solutions, and a lawyer from Ogilvy Jennings.
- Upstander Workshop: Led by Dr. Zelinda Sherlock from Sherlock and Dutta.

The Migrant Resource Centre remains a key stakeholder, with GCC strengthening relationships through the Social Inclusion grant planning process, GRIP Program development, and consultation on the Basketball Against Racism initiative. This has opened avenues for collaboration, community consultation, and future event partnerships.

NUMBER AND VARIETY OF PARTNER ORGANISATIONS ENGAGED WITH COUNCIL.

- Engaged organisations with a focus on improving safety and inclusion, including:
- Multicultural Council of Tasmania (MCOT)
- Migrant Resource Centre
- Karadi
- B Kinder Foundation
- Ending Loneliness Foundation
- Kevlar Security Solutions
- Ogilvy Jennings
- Welcoming Australia
- Reconciliation Tasmania
- Working It Out
- Tasmanian Police
- Department of Home Affairs
- Department of Social Services
- Local Schools: Montrose Bay High School, Cosgrove High School, St Francis Alternative Learning, T4

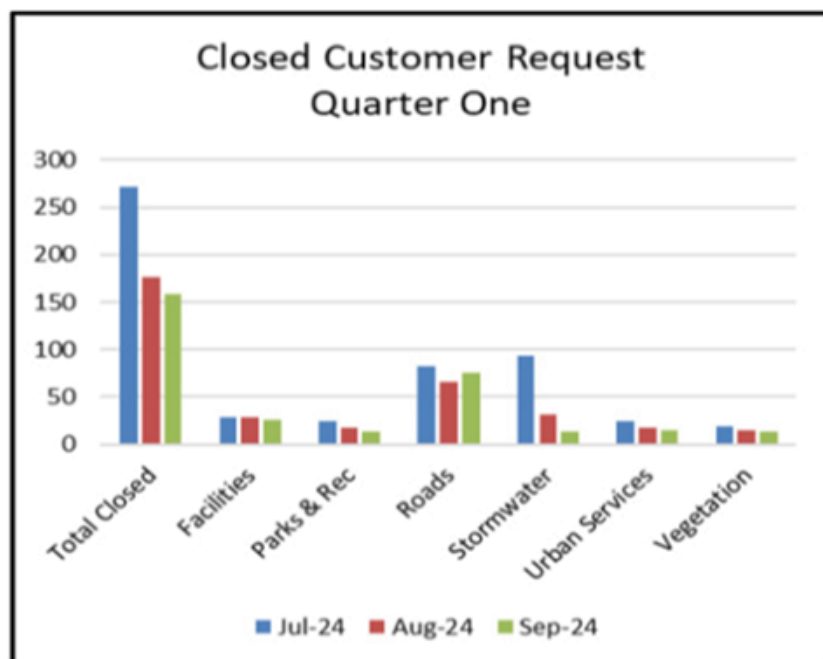
NEW APPROACH TO MANAGING GRAFFITI - STATUS OF A REVIEW OF CURRENT POLICY AND PRACTICES UNDERTAKEN

In the first quarter, our dedicated Graffiti Officer has effectively identified graffiti hot spots, resulting in an average of over 100 proactive removals from Council assets each week.

We've also expanded our use of mobile technology to capture and report graffiti on infrastructure managed by other service providers. This data has been analysed to identify emerging graffiti trends, enabling us to adjust our strategies accordingly. As a result, we are investigating new staffing models, equipment, and cost options for enhanced graffiti management. This topic will be discussed in detail at a Council Workshop scheduled for the second quarter.

Additionally, the Council has launched a new initiative to wrap traffic signal boxes across the municipality with a graffiti-resistant product. So far, six boxes have been completed, featuring colourful and unique designs that enhance our community's aesthetic.

NUMBER OF COMPLETED MAINTENANCE ACTIVITIES (SERVICE REQUESTS) FOR DIFFERENT ASSET CLASSES



VISITATION AT THE MOONAH ARTS CENTRE AND ATTENDANCE AT OTHER COUNCIL-RUN EVENTS

Over the July to September quarter, 8,972 people visited the Moonah Arts Centre. The monthly breakdown is:

- July - 2,816
- August - 2,299
- September - 3,857

NUMBER OF REFLECT RECONCILIATION ACTION PLAN ACTIONS IMPLEMENTED

In July 2024, Glenorchy City Council staff participated in several NAIDOC Week activities. These included the Amazing Race, a community gathering at Karadi, and distributing NAIDOC Week merchandise. Staff were encouraged to add NAIDOC Week recognition to their email signatures. Additionally, Karadi received a collection of 20 books from the Indigenous Literacy Foundation which showcase Aboriginal stories and artists.

A new communication process has been established to encourage staff to update the RAP regularly. Two email groups have been created to facilitate reporting on RAP actions, and updates are consistently forwarded to maintain the RAP spreadsheet.

The Nayri (Goodness/Kindness) Project at Karadi Aboriginal Corporation began with seven students from St. Francis Flexible Learning, supported by a youth worker and Karadi staff. The project aims to strengthen connections and identify future initiatives.

Resources on cultural safety for children and young people have been shared. All RAP actions are either completed, in progress, or ongoing, and quarterly updates have been initiated for all managers. Input was also provided on Acknowledgement of Country signage, and work continues on the Karadi Community Art Project and the new artist license for the Moonah Arts Centre.

RAP Progress:

- Total actions: 95
- Completed: 24
- Ongoing or carried forward to 2025: 71

OVERALL ESTIMATED ATTENDANCE AT CIVIC EVENTS

Council hosted three Citizenship Ceremonies during Q1, where 147 conferees from 35 countries became Australian Citizens. A total of 250 guests attended these ceremonies.

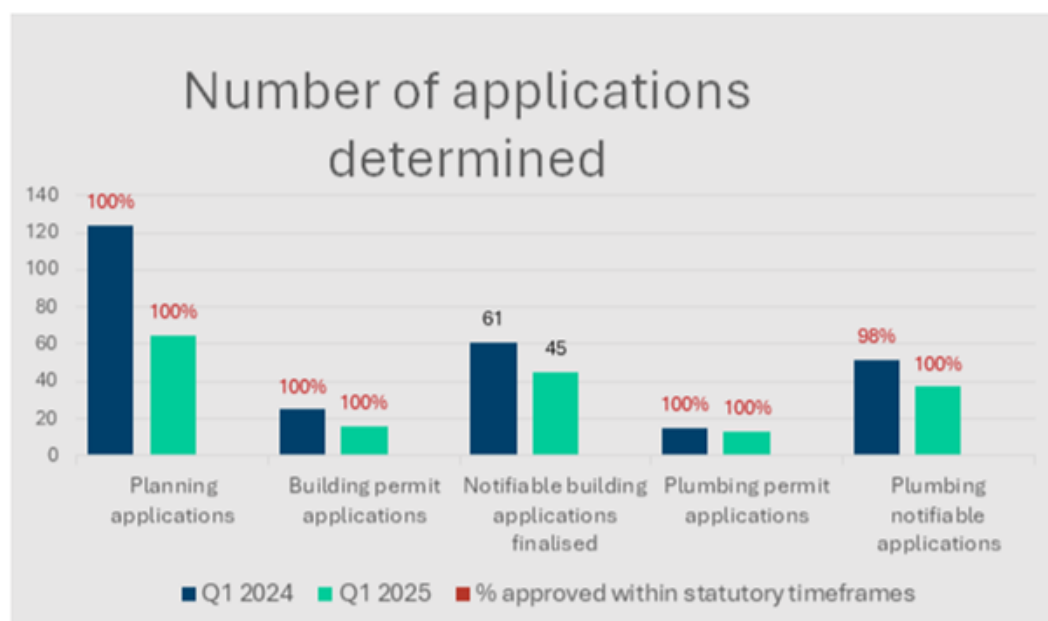
OPEN FOR BUSINESS

We will create a strong economy and jobs for the future. We will encourage business diversity, innovation and new technologies to stimulate jobs, creativity and collaboration. We will be a place where business can establish, continue and flourish.

NUMBER AND TYPES OF ENGAGEMENT WITH GLENORCHY BUSINESSES

During the period, Council worked with Glenorchy businesses on addressing anti-social and criminal behaviour. This culminated in a business safety breakfast on 28 August where over 30 people attended to hear about their legal rights, how to keep themselves and their businesses safe and what Council is doing to combat the issues being faced by businesses.

NUMBER OF PLANNING APPLICATIONS DETERMINED WITHIN STATUTORY TIMEFRAMES



CUSTOMER SATISFACTION SCORE (GOAL IS GREATER THAN 75%)

Council's Customer Satisfaction (CSAT) Score for the first quarter of 2024/25 is 88.3%. This score was calculated from 1,007 responses received from customers via after-call, e-mail signature and tablet surveys.

PERCENTAGE OF CALLS ANSWERED WITHIN 60 SECONDS (GOAL IS GREATER THAN 80%)

For this quarter, the Customer Service Centre answered 77% of the 9,398 calls received within one minute.

PERCENTAGE OF FRONT COUNTER VISITS COMPLETED WITHIN 5 MINUTES

For this quarter, the Customer Service Centre completed 96% of the 5,325 enquiries at the front counter in under 5 minutes.

PERCENTAGE OF CALL BACK REQUESTS COMPLETED WITHIN OUR SERVICE LEVEL AGREEMENT

Unfortunately, according to our data, only 44% of the 792 call-back requests were returned by the end of the next business day. This is an area we can improve upon, however we are somewhat restricted by our core system in both completing the requests and reporting on them, so accuracy of this statistic can vary. Once our new corporate system is live, this figure is expected to become more accurate, and it is predicted to show a significantly higher percentage.

PERCENTAGE OF COMPLAINTS COMPLETED WITHIN OUR SERVICE LEVEL AGREEMENT

Council has responded to 100% of the 6 complaints received this quarter, within 10 days.

NUMBER OF JOB PLACEMENTS THROUGH THE GLENORCHY JOB HUBS BY TYPE

Total Registered	98
Full time	6
Part time	5
Casual	47
Contract casual	2
Contract part-time	1
Contract full time	5
Total	66

PROGRESS OF COUNCIL LED PLANNING SCHEME AMENDMENTS

Council is still awaiting further information/activity from the applicant for the Granton greenfield development (rezoning). No further work can be done until this is received.

NUMBER OF ACTIONS IMPLEMENTED FROM THE GLENORCHY PARKING STRATEGY

The draft Parking Plan and Cash in Lieu of Parking has been received from a consultant engaged by Council. This document will be further developed for adoption by Council.

A review of accessible car parking spaces has been completed.

Council is currently investigating capacity for EV chargers with TasNetworks.

Parking directional signage is complete.

LEADING OUR COMMUNITY

We will be a progressive, positive community with strong council leadership, striving to make Our Community's Vision a reality.

NUMBER AND TYPE OF COMMUNITY ENGAGEMENTS COMPLETED.

With seven new registrations during Q1 there are now 1687 people registered on Council's "Let's Talk, Glenorchy" engagement site. During the reporting period "Let's Talk, Glenorchy" received 2661 visits with 246 contributions to engagement projects.

There was one external engagement project during Q1 - Prince of Wales Bay proposed planning controls which was at the "Inform" and "Consult" levels on the Spectrum of Public Participation and at a Level 4 on the Level of Impact Scale.

The Open Workshop trial continued during the quarter with two held. These included a presentation on Council's approach to asset management in August which was attended by 35 people in person and online, and a presentation on Council's Child Safe Framework in September attended by over 70 people online.

HARDSHIP APPLICATIONS ARE PROCESSED IN ACCORDANCE WITH THE POLICY

There were four Hardship Applications received in quarter one all of which received some form of support with their payment difficulty.

NUMBER AND TYPE OF COMMUNICATIONS WITH COMMUNITY, INCLUDING SOCIAL MEDIA AND WEBSITE ANALYTICS

At the July Council Meeting the Media and Communications Framework was endorsed by Council. This Framework includes a policy and directive along with a plan and accompanying toolkit for both staff and Elected Members. Council continues to communicate regularly with community through several channels across social and traditional media.

Each month the Glenorchy Gazette features an average of eight stories on Council activities and updates. During the quarter Council released six media statements, all of which were picked up across traditional media channels. They included statements on the pool, anti-social behaviour and road closures. During Q1 GCC Facebook page saw a 22% increase in reach, a 30% increase in content interactions and a 7.6% increase in link clicks.

NUMBER OF ENGAGEMENTS WITH STRATEGIC PARTNERSHIPS AND PEAK BODIES

Senior Leaders participated in:

2 Greater Hobart Mayors Forums, 1 GM/CEO meeting, Several Transit Corridor meetings, 1 Derwent River Ferries Project Meeting, LGAT AGM, LGAT RLUS Forums, LGAT Annual Conference, 1 Southern Tasmanian Regional Waste Authority Owners Forum, Southern Councils Round Table, several STRLUS steering committee meetings, and other meetings and forums as relevant to their roles.

This quarter there has been minimal movement on the Future of Local Government Reform. Council officers are actively monitoring for announcements and action from State Government.

NUMBER OF RESOLUTIONS (DECISIONS) BY COUNCIL, PERCENTAGE OF COUNCIL DECISIONS MADE IN OPEN MEETINGS

Council made 98 decisions, of which 65% were made in open Council.

PERCENTAGE OF COUNCIL MEETING AGENDAS AND MINUTES WITHIN STATUTORY TIMEFRAMES

All agendas and minutes were developed and released within statutory timeframes

COMPLETED FUEL REDUCTION BURNS

During Q1 there were no fuel reduction burns completed. Typically, the first quarter's weather is not suitable for controlled burning. Work has been progressing with the Tasmania Fire Service to conduct one fuel reduction burn during the current financial year. The Tasmania Fire Service is in negotiations with private landholders regarding the proposed burn and this has yet to be finalised. 217 property connections have also been installed.

METRES OF FIRE TRACKS MAINTAINED

Approximately 40km of Council managed fire trails have been regularly inspected and maintained to specifications through Q1. This represents the entirety of the GCC fire trail network. 500 metres of the Chapel Fire Trail have been scoped for reconstruction during Q2.

NUMBER OF STORM WATER PITS INSTALLED

During the quarter there have been 16 storm water pits modified and new installed.

METRES OF PIPES AND DRAINS INSTALLED

During the quarter 355 metres of new stormwater pipes were installed.

EMERGENCY MANAGEMENT ORGANISATION PREPAREDNESS

Recent floods in the municipality and more broadly across Tasmania have provided an opportunity for a refresh of Council's emergency plans.

NUMBER OF ACTIONS DELIVERED FROM THE STORMWATER SYSTEM MANAGEMENT PLAN

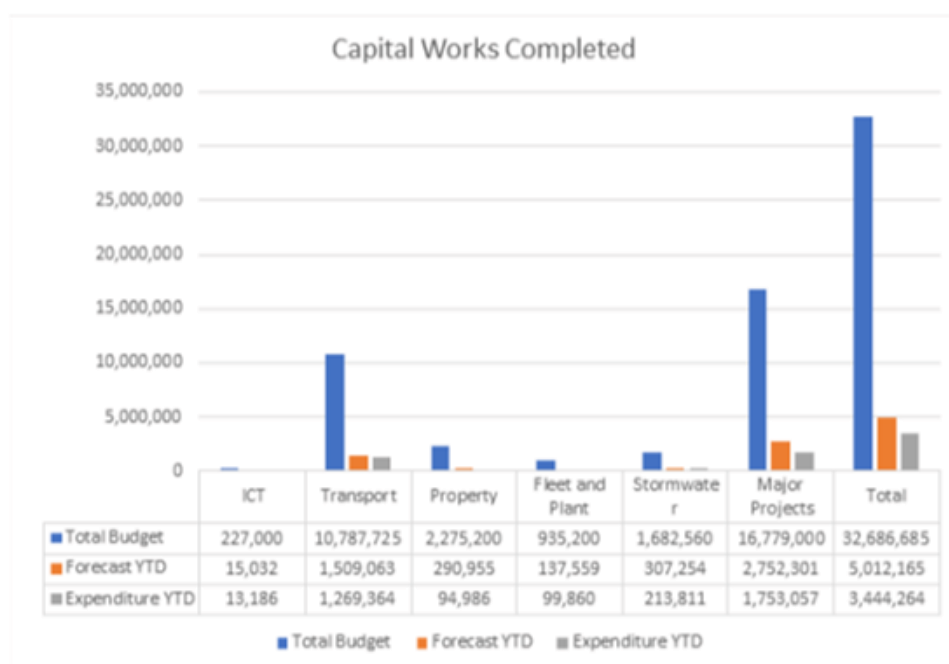
The Abbotsfield Park stormwater replacement is nearing completion. The Humphreys Rivulet retaining wall construction at Murrayfield Court is now complete. Work is set to commence on the Redlands Drive Flood Remediation Works and Chandos Drive Stormwater Diversion later this financial year.

PERCENTAGE OF RECURRENT CAPITAL WORK PROGRAM DELIVERED AGAINST ANNUAL BUDGET- RECURRENT AND MAJOR WORKS

Council's Capital Works program has an annual budget for this year of \$27.3 million. Council's expenditure on its normal body of capital works is slightly behind forecast (75% vs forecast), however spending always ramps up as the financial year progresses. It is anticipated that Council will complete the majority of all road, footpath, bridge, stormwater and property renewal and upgrade works that have been planned for this financial year.

Council is undertaking a large program of grant funded major projects, which involves some major sporting facility redevelopments. The scope and size of these projects is a resource intensive process.

Council is continuing to experience delays in the supply of materials and contract services due to market constraints, increases in construction costs and the availability of contractors, due to a buoyant and heated construction market. 68% of expenditure has been spent against original forecasts. However, the majority of expenditure wasn't forecast until later in the year due to these factors.



NUMBER OF IMPROVEMENTS PLAN ACTIONS DELIVERED FROM COUNCIL'S STRATEGIC ASSET MANAGEMENT PLAN

Council is undertaking a large program of grant funded major projects, which involves some major sport and recreation redevelopments. The scope and size of these projects is a resource intensive process. 82% of expenditure has been spent against original forecasts.

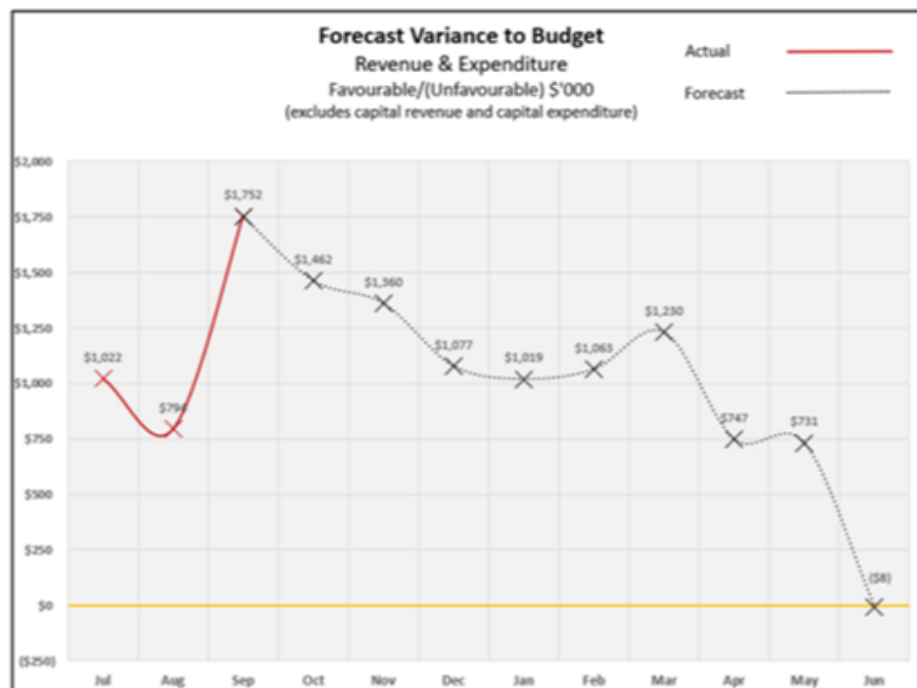
In total 17% of the total capital budget has been spent year to date.

A drainage asset management dashboard is currently under development, which condition and revaluation specifications having been developed. There are two actions yet to commence for this financial year.

FINANCIAL PERFORMANCE AGAINST BUDGET REPORTED MONTHLY, QUARTERLY AND ANNUALLY

In quarter one, Council received two monthly and one quarterly report financial performance reports. The cash cover ratio was detailed in the GCC Annual Plan Measures section of the Chief Executive Officers quarterly report.

Annual Plan actions are being monitored via new reporting system for presentation to Council and community at end of Q1.



Note 1: The data in this chart is a compilation of actual, budget and forecast revenue / expenditure. It is recalculated each month to ensure it represents the most up-to-date analysis of Council's financial position which may result in differences to previously reported charts.

CASH COVER RATIO IN MONTHS



DELIVER ANNUAL, QUARTERLY AND MONTHLY REPORTS ON TIME

The annual accounts for 2023/24 were prepared in the quarter and submitted to the Tasmanian Audit Office on time by 14 August. The subsequent audit of the accounts commenced in early September with an estimated completion date in early October.

COMPLETION OF MI GLOBAL STUDY AND PROGRESS ON POOL REFURBISHMENT.

The final report (business case) nearing completion. A public workshop is scheduled for 21 October 2024, to present the business case to Elected Members and community.

STATUS OF REPAIR AND REOPENING OF THE GLENORCHY WAR MEMORIAL POOL PROJECT

Architectural and engineering designs for the repair and upgrade project have progressed in Q1. The tender package is under development whilst awaiting the State Government grant deed that is expected during Q2.

NUMBER OF EXTERNAL GRANTS APPLIED FOR, AND NUMBER OF GRANTS SECURED.

Application to the Federal Government thriving Regions Grant Program submitted for further development of Tolosa park. The application is for \$2.65m of a \$5.3m project to progress the Stage 2 development of Tolosa Park.

PERCENTAGE OF STRATEGIC RISKS WITHIN AGREED RISK APPETITE

Council's risk appetite statement has been reviewed. Council's Governance team is about to issue invitations to Managers for a risk register review to be completed in the next quarter. This will result in a revision of the register and a reassessment of variances from the risk appetite.

NUMBER OF DOCUMENTS ADDED TO COUNCIL'S DOCUMENT MANAGEMENT SYSTEM

Council received, registered and tasked 6,793 articles of incoming correspondence during quarter 1.

NUMBER OF PROPERTIES INSPECTED FOR FIRE RISK AND NUMBER OF ABATEMENT NOTICES ISSUED FOR FIRE RISK.

As the fire season is not yet open, fire risk abatement activity is yet to commence.

NUMBER OF FOOD PREMISES INSPECTED



NUMBER OF PARKING TICKETS ISSUED

Council Officers have issued 540 infringements.

NUMBER OF PATROLS CONDUCTED

Council Officers have conducted 1,391 parking patrols across quarter 1.

NUMBER OF DOGS REGISTERED

At the end of quarter 1, a total of 6,115 dogs have been registered with the Council.

NUMBER OF INFRINGEMENTS ISSUED FOR NON-COMPLIANCE OF THE *DOG CONTROL ACT 2000* AND COUNCIL'S ANIMAL MANAGEMENT BY-LAW

Council has issued one infringement this quarter for non-compliance of the *Dog Control Act 2000*, and none for non-compliance of Council's *Animal Management By-Law*.

COMPENSATION INCIDENT RATE 20 BENCHMARK

During July and August, there were 6 compensation claims.

NUMBER OF STAFF PARTICIPATING IN TRAINING

318 employees attended 41 training sessionstraining sessions this quarter.

PROJECT HUDSON MILESTONES COMPLETED

Configuration workshops, User Acceptance Testing, and change impact assessment activities were substantially progressed for Project Hudson Phase 1 and Phase 2 Core System Modules. For Phase 1 this included extensive activity within the modules of Finance, Cash Receipting, Payroll, Human Resources, and Property & Rating. For Phase 2 this included Customer Service, Infringements, Animals, Environmental Health, Local Laws, Events, and Licensing and Compliance.

VALUING OUR ENVIRONMENT

We will value and enhance our natural and built environment. Our CBD areas of Glenorchy, Moonah and Claremont will be revitalised, with a strong emphasis on great design, open spaces and public art.

NUMBER OF WATER SAMPLES PROVIDED TO THE DERWENT ESTUARY PROGRAM

The Derwent Estuary Program Stormwater and Rivulet Sampling program has continued with monthly environmental water samples are being collected from five sample points.

NUMBER OF NATURAL ENVIRONMENT ENGAGEMENT EVENTS

22 Care Group events in Q1 supported by Council.

COMPLETION OF BERRIEDALE- WINDERMERE FORESHORE PROJECT

The walking track connecting Lowestoft Bay to Connewarre Bay was completed in Q1 including Aboriginal naming 'takara makuminya - Walking track on Timtumili Minanya/Derwent River', and sensitive construction techniques due to nearby artefact sites.

Planning work is also underway for an extension of the Windermere pathway and boardwalk, in collaboration with the Derwent Estuary Program project to restore salt marsh communities in the area.

PERCENTAGE OF WASTE DIVERTED FROM LANDFILL. PROGRESS ON WASTE STRATEGY ACTIONS

1,238 tonnes of materials diverted from the Jackson Street Landfill in Q1 through recovery of materials. An additional 897 tonnes of kerbside waste diverted through FOGO kerbside collection, and 984 tonnes through recycling kerbside collections in Q1.

COUNCIL'S CLIMATE CHANGE MITIGATION ACTION PLAN - ACTIONS PROGRESSED

Planning completed for fenced enclosure at Council carpark to allow for electric vehicle chargers that will be installed in Q2. Two electric fleet vehicles ordered. Tie down works completed on Chambers roof to allow for future solar panel installation. 3127 native trees and plants planted in Q1.

BERRIEDALE FORESHORE PUBLIC TOILET DELIVERED AS AN ACTION UNDER THE PUBLIC TOILET STRATEGY DOUBLE

The designs have been completed and a tender package is in development.

CLAREMONT SKATEPARK PROJECT MILESTONES COMPLETED

Design work and procurement planning was completed in Q1 and will be tendered for construction in Q2.

UPGRADES COMPLETED AT LUTANA WOODLANDS, COOINDA PARK AND ROSENEATH RESERVE LOCAL PLAYSPACES

Lutana Woodlands and Cooinda Park are now complete. Roseneath Reserve is currently under construction.

NUMBER OF PUBLIC ART OVERSIGHT GROUP MEETING.

The Public Art Oversight Group current Terms of Reference stipulates meeting at least once each six months or as required. To date the Public Art Oversight Group has not met this financial year and the current Public Art Policy and Public Art Oversight Group Terms of Reference are under review.

COMPLETION OF MAJOR RECREATION PROJECTS AT KGV, AND NORTH CHIGWELL

KGV - All ground and lighting works have been completed. New changerooms and toilets have also been completed. The final stage of refurbishing the grandstand and the old changerooms is underway and expected to be completed in late Q2 or early Q3.

North Chigwell - All ground and lighting works have been completed. The new changerooms, toilets, and clubrooms are underway and expected for completion in Q3.

PUMP TRACK/SKATEPARK AT CLAREMONT PROJECT MILESTONES COMPLETED

Design work and procurement planning was completed in Q1 and will be tendered for construction in Q2.

UPGRADE PROJECTS IDENTIFIED AND COMPLETED

Renfrew Circle Road Reconstruction Stage 1 nearing completion. Ashbourne Grove Reconstruction Stage 2 due to commence soon.

NUMBER OF FEDERAL GOVERNMENT FUNDED BLACK SPOT PROJECTS DELIVERED

3 Black Spot projects due for completion this financial year and construction has not yet commenced.

NUMBER OF VULNERABLE ROAD USERS PROJECTS DELIVERED

Stage 1A and 1B of the Main Road Granton Shared Path are nearing completion.



374 Main Road, Glenorchy
PO Box 103, Glenorchy TAS 7010
(03) 6216 6800 | gccmail@gcc.tas.gov.au
gcc.tas.gov.au

ACCESS & INCLUSION COMMITTEE MEETING Minutes 12th September 2024	
Time and venue: 2.30 to 3.30pm. Meeting Room 116 – Glenorchy City Council Chambers	
Accepted: Ald Jan Dunsby (Via Teams) Ald Shane Alderton, Ron Petterson, Judith Clark, Kaitlyn Scolyer, Lisa Rudd, Scoutt Winter	
Apologies: Nil	
Chair: Ald Shane Alderton	
Minutes: Circulated.	
Agenda	
Item 1.	<u>Introductions & Values Focus</u> <ul style="list-style-type: none"> • Be Understanding • Listen Actively and value others' opinions. • Be honest and trustworthy
Item 2.	<u>Aboriginal Acknowledgement</u> We acknowledge the traditional owners of this Country and recognise Aboriginal People's continuing connection to Land, Sea, Waterways, Sky and Culture. We pay our respects to Elders past and present and also acknowledge our Aboriginal colleagues who are present today
Item 3.	<u>Items for Ratification</u> Regarding Adam Quarrell's request for leave of absence from the Access and Inclusion Committee. To reflect the consensus of our email agreement, the committee formally accepts Adam's request for six months leave of absence: All voted yes
Item 4.	<u>Guest Speaker:</u> Scoutt Winter – Social Planning and Policy Officer – Glenorchy City Council 4.1 - LGBTIQA+ Inclusion community consultation: Project plan and timeline submitted for Committee's consideration / approval 4.2 - Child safety information for Glenorchy City Council website & facilities, seeking accessibility feedback from the committee for website and proposed signage.
Item 5.	<u>General Business/discussions</u> 5.1 - Ron: Reflection on the TOR: Roles and functions of the committee 5.2 - Judith put forward her resignation and expressed thoughts and ideas for progression of the committee moving forward. Ald. Alderton thanked Judith for her support and noted her ideas. 5.3 - General discussion on recruitment with action identified as per Item 6.2 5.4 - Lisa: Update – B Kinder Council: Carried over to next meeting
Item 6.	<u>Summary of Actions</u> 6.1 - Ron to Introduce Lisa to represent from Golden Wattle Dementia Group:

	6.2 - Ron and Alderman Alderton to approach specific organisations to explore/gain more diverse representation on the Access and Inclusion Committee.			
Item 7.	Next Meeting: 2.30pm 28 th November at Council Chambers			
ACTION LIST				
Date	Action	Resp Person	Due Date	Update
12/09/2024	Introduce Lisa to representative from Golden Wattle Dementia Group with intent to invite to committee.	Ron Petterson (RP)	26/09/2024	Completed
12/09/2024	Ron and Alderman Alderton to approach specific organisations to explore/gain more diverse representation on the Access and Inclusion Committee.	Ron Petterson (RP) Ald. Alderton (AA)	Ongoing	08/10/2024 EM's met with Manager Community and Director C&CS. RP & AA to proceed with identification of key persons.
12/09/2024	Item 5.4 deferred until after Elected Members vote on the proposal that Glenorchy City Council to become a b-Kinder Council	Lisa Rudd (LR)	28/11/2024	30/09/2024 Council moved for Glenorchy City Council to become a b-Kinder Council




Glenorchy City Council Emergency Management Committee		24 July 2024: 15:00 – 16:30 Mayoral Reception	
Meeting Chair:	Ald. Steven King	Minute taker:	Tracey Ehrlich
Attendees:	Ald Steven King, Tracey Ehrlich, Luke Walker, Jim Semmens (TasPol), Emma Gardner (SES) Scott Byers, Mark Klop (TFS), Patrick Marshall, Ron Petterson, Cameron Crawford (Nyrstar), Jason Klug (Tas Pol) – joined 3.30pm, Kate Forbes (SES)		
Apologies:	Simone Salter, Stephen Bresnehan, Willie Joseph, Deearna Rowe (TasPol)		
Agenda Item:	Agenda		
1	Welcome (Chair), confirmation of previous minutes.		
2	<p>Ron Petterson - Municipal Recovery Coordinator's Update</p> <p>Municipal Recovery Plan is almost complete. Now needing assistance with the various data sets and will circulate the Plan to Committee members for assistance.</p> <p>Also developing a 1 page stages of recovery document for each event (i.e. fire, flood).</p> <p>Working on the recovery centres capacity for GCC. Planning for the MAC as a centre for persons with additional needs and wanting to enter into a MOU with the Moonah Sports Centre and Community Centre. Between these facilities GCC should be able to cope up to the 500 evacuee level that triggers a regional response.</p> <p>The MOU with the Salvation Army to provide catering to evacuation and recovery centres expired on 30 June 2024 and has now been renewed for a further 2 years.</p>		
3	<p>Update from Hobart Fire Management Area Committee and bushfire mitigation works (Tracey Ehrlich in lieu of Stephen Bresnehan)</p> <p>Key points from the bushfire risk management update were:</p> <p>Fire trail network is holding up very well across winter.</p> <p>TFS proposed burns for GCC this year and next is still being determined. The Collinsvale burn proposed for last year is still on TFS' to do list.</p> <p>We are assisting in the installation of a portable weather station in Wellington Park near Collinsvale to improve fire weather modelling.</p> <p>The recent rain event did not damage the fire trails.</p>		



4	<p>All - Review of recent rain event</p> <p>On the 15 & 16 July 2024 the Hobart and Glenorchy catchments received significant rainfall. BOM notes:</p> <ul style="list-style-type: none"> • <i>A low pressure system off the east coast of Tasmania on the 14th brought widespread rain to the state with 25 to 50 mm across southern areas in the 24 hours to 9 am on 15 July.</i> • <i>Weekly totals of 25 to 50 mm were recorded across Tasmania, the south-west coast of Western Australia, small areas of the south-east coast of South Australia, a large area of central and north-eastern Victoria, and isolated pockets of inland New South Wales and central Queensland.</i> • <i>Weekly totals greater than 50 mm were recorded across southern, eastern and central Tasmania, and central Victoria.</i> <p>Emma noted the hills around Hobart received 150mm and Patrick mentioned Merton Weir recorded 94mm over the 36 hours. The flood levels in the New Town, and Humphreys Rivulets and Merton Weir appeared to level out around 5pm to 6pm on 15 July, having increased steadily since midnight of 14 July.</p> <p>During both these days Council Officers received alerts from the Entura flood monitoring system, particularly in relation to Knights Creek Dam which spills into Humphreys Rivulet. These warnings did not exceed the tolerances set by TasWater. However, Knights Creek Dam did spill as it had hit the flood level recorded in TasWater's dam management plan. Emma noted the plan is dated 2008 and is engaging with TasWater regarding the management protocols for Knights Creek Dam. GCC will await this information and review its flood management plan if required.</p> <p>Council staff kept contact with Lynley Hocking (SES) who were having issues accessing the Entura data. The Works Depot also kept regular checks on levels in various rivulets including Humphreys Rivulet and prepared for sandbags, in case the rain continued.</p> <p>The Entura flood alerts "glitched" around midday on 16 July sending approximately 30 alerts in about 10 minutes. Entura are investigating.</p>
5	<p>Tracey Ehrlich - Emergency Management audit by WLF</p> <p>WLF have been retained by LGAT to undertake an audit of Local Government emergency preparedness. Auditors from WLF met with Tracey Ehrlich and Ron Pettersen on 27 May 2024 and Council Officers have provided WLF with relevant documents including plans, training and exercises.</p> <p>WLF have now concluded their audit and are meeting with Council officers and the General Manager on 19 August 2024 to present their findings. These findings will be captured in Council's audit findings and reported to its Audit Panel for oversight.</p>



6	<p>Tracey Ehrlich – Person Centred Emergency Preparedness project (P-CEP)</p> <p>Tracey Ehrlich, Ron Petterson and Luke Walker have completed the P-Cep training course provided by the University of Sydney in partnership with the Tasmanian SES.</p> <p>Following this course both Tracey and Ron have met with Lynley Hocking and Richard Witbreuk (SES) and are commencing a trial implementation of this in Glenorchy.</p>
7	<p>Agency Updates</p> <ul style="list-style-type: none"> - SES Working on the Municipal Emergency Management Plan revised template and will issue as soon as possible. - Tasmanian Police Insp. Jim Semmens introduced the incoming Inspector Jason Klug who will replace Insp. Semmens from 29 July 2024. TasPol had no serious incidents relating to the rain event of the 15/16 July. - TFS Currently checking fleet prior to the start of fire season. Awaiting fire season update from BOM.
8	<p>Other Business – All</p> <p>Kate Forbes (Regional Recovery Officer South) advised of her new role which commenced in May 2024. Kate will be working extensively with local Councils to assist in the recovery preparedness. To this end the State have agreed to release a series of grants available to Councils for equipment purchases. Level 1 will be for capital purchases eg. animal crates, generators, etc. Level 2 will be for equipment and stock, and Level 3 is for isolated communities. No matching contributions are required.</p> <p>The aim of these grants is to create stock for the SES to call upon if a regional evacuation centre is activated. It is expected that all local Councils will assist.</p>
9	<p>Next Meeting Agenda Items</p>
10	<p>Next meeting is: Wednesday, 23 October 2024 3:00 PM-4:30 PM Mayoral Reception Room</p>
11	<p>Meeting closed at: 4.05pm</p>

<div>Glenorchy Jobs Hub Steering Committee MINUTES OF MEETING Tuesday 24 September 2024</div>		<div> GLENORCHY CITY COUNCIL</div>
Venue:	Glenorchy Jobs Hub – 2 Tolosa Street	
Time:	10.00am – 12.00pm	
Chair:	Mayor – Glenorchy City Council	
Membership: Sue Hickey - Chair (Mayor of Glenorchy); Liz Rodd (Mona); Rodney Hayden (Work & Training); Shane Oldfield (Claremont College); Sally Thompson (Migrant Resource Centre); Tristan Baker (Cripps), Rachel Cooper (GCC), Warren Yates (GCC), Leon Thompson (GCC) & Luke Walker (GCC)		
Secretariat: Tracey Ehrlich (Glenorchy City Council) & Marcus Stephens (Hazel Bros)		
Item	Description	Lead
1	Welcome, apologies, declaration of interests: Welcome: Apologies: Marcus Stephens, Shane Oldfield and Rodney Hayden Declaration of interests: no declarations were made.	Chair
2	Minutes from previous meeting and business arising: Minutes of the last meeting held on 23 July 2024 were noted.	Chair
3	Partnership Fund Update <ul style="list-style-type: none">MRC has developed a proposal for the Department of State Growth with recommendations on funding required for delivery of the program for 18-24 months. The proposal entitled “Glenorchy Jobs Hub Partnership Program / Migrants Network Employment Program” was circulated during the meeting. As outlined in the proposal, the partnership aims to: -<ul style="list-style-type: none">support people from a migrant background to gain<ul style="list-style-type: none">employmentan understanding of how to engage with the Tasmanian job marketpractical industry knowledge and network opportunities with potential employersknowledge around skills and qualifications recognitionsupport employers to	Warren Yates

	<ul style="list-style-type: none"> ○ link with talented job seekers in the GCC area ○ improve diversity and inclusion practices in hiring ○ Network with other employers and job seekers who may add value to their business <ul style="list-style-type: none"> • Provide: - <ul style="list-style-type: none"> ○ Networking activities to showcase local employment opportunities and how to enter the industries ○ Networking events that facilitate connection with local employers and industries with workforce shortages ○ Industry tours providing practical information, experience and connections with workplaces. ○ Industry Insights website information ○ A Migrant Network Career Ready Fund for participants ineligible for Workforce Australia support ○ Career coaching training ○ Individual support ○ Audit of skills and qualifications to identify those that can or are transferable to an Australian context and advice on how to gain recognition of skills/qualifications. • Next stage - approval of the proposal to go to a project plan stage. <i>(Sally left the meeting whilst the committee considered the proposal)</i> <p>Resolution: Yates/Rodd.</p> <p>That the proposal be approved by the Committee to proceed to the project planning stage.</p> <p>The motion was put by the Chair. For: Liz Rodd, Tristan Baker, Rachel Cooper, Warren Yates, Leon Thompson, Luke Walker Against: nil The motion was carried.</p> <p>Sally was invited to rejoin the meeting following the motion.</p>	
4	<p>Jobs Hub reporting:</p> <ul style="list-style-type: none"> • July/August 2024 Steering Committee dashboard report data <ul style="list-style-type: none"> ○ Jobs filled during July and August: 41 ○ Registrations during July and August: 64 ○ Participant demographics 75% male, 25% female. (Couple of months of skewed figures). 	Warren Yates/ Luke Walker

	<p>Discussion turned to CRM (used for reporting to government). The Jobs Hub would benefit from extra functionality via an upgraded CRM. It is noted the upgrade would be costly. The current cost is \$32.00 per user, per month. An upgrade is estimated to cost \$55.00 per user, per month.</p> <p>ACTION: Put up a recommendation for a CRM upgrade. Check grant funding to see if an upgrade of CRM can be accommodated (Rachel)</p> <p>ACTION: Review CRM costing and relevance to reporting, with a side-by-side comparison of current CRM systems v. new system (Luke)</p>	
5	<p>General Business:</p> <ul style="list-style-type: none"> Activities <ul style="list-style-type: none"> A training course is being offered in partnership with Innovative Care Tasmania The Glenorchy Jobs Hub has a full team of five with new team members, Leon and Monique Community Safety Business Breakfast/Open Council workshop attended An industry session held with GCC Leon and Monique ran a selection criteria master class An interview master class will be held next month <p>ACTION: Tristan to organise a walk-through of Cripps for Sally, Leon and the Mayor (Tristan)</p> <p>ACTION: Youth Jobs Strategy to be circulated (Warren)</p> <p>ACTION: Budget submission paper to be circulated (Warren)</p> <p>ACTION: Sally to provide Leon with details of contact person at MRC who has a spreadsheet of people with skills (Sally)</p> <ul style="list-style-type: none"> The Mayor suggested an addition to the Hymn board at the Glenorchy Jobs Hub— by way of a ‘welcome’ in different languages. 	Chair
<p>Meeting closed: 11.20am</p> <p>Next meeting: Tuesday, 26 November 2024 at the Glenorchy Jobs Hub. (Apologies extended: Liz Rodd)</p>		

SAFE & CLEAN CITY WORKING GROUP MEETING MINUTES 23 July 2024



Time and venue: 12.00 - 1.30pm Mayoral Reception Room – Glenorchy City Council Chambers

In attendance: Jim Semmens – Tas Police, Peter Vogelslanger – Neighbourhood Watch, Ronan McDermott - GCC, Elly Rigney – GCC, Ald. Jan Dunsby – GCC, Emilio Reale – GCC, Ald Stuart Slade – GCC, Steve Woods – Salvation Army, Ron Petterson – GCC, Matthew Browning – GCC, Timonthy Horton - GCC

Apologies: Alyson Watts – THS, Lisa Williams -Vicinity Shopping Centres, Natasha - Pulse Youth Health, Fiona & Grace – Pulse Youth Health, Rowena Gilbertson - Metro

Minutes: Naomi Hansen

Agenda


Item 1	<ul style="list-style-type: none"> Acknowledgement of Country <p>In recognition of the deep history and culture of our city, we acknowledge the Tasmanian Aboriginal People as the Traditional Custodians of this land. We acknowledge the determination and resilience of the Palawa people of Tasmania who have survived invasion and dispossession, and continue to maintain their identity, culture and rights. We recognise that we have much to learn from Aboriginal people who represent the world's oldest continuing culture. We pay our sincere respects to Elders past and present and to all Aboriginal people living in and around Hobart.</p>
Item 1.2	<ul style="list-style-type: none"> Group Introduction <p>Ronan McDermott: Safe City Lead Officer Jim Semmens: Tas Police Peter Vogelslanger: Neighbourhood Watch Steve Woods: Salvation Army Rowena Gilbertson: Metro Ron Petterson: GCC Jim Semmens: Tas Police Elly Rigney – GCC Ald. Jan Dunsby – GCC Ald. Stuart Slade – GCC Matthew Browning – GCC Timothy Horton – GCC Emilio Reale – GCC Naomi Hansen - GCC</p>
Item 1.3	<ul style="list-style-type: none"> New Terms of Reference <p>Discussed ToR merge versions and draft a new updated a copy for review</p>

Item 1.4	<ul style="list-style-type: none"> Welcome to New Members
Item 1.5	<ul style="list-style-type: none"> Service Updates from the Group & Emerging Concerns <p>Shoplifting, assaults – same group of teens reoffending. Ronan – wanting to implement Restorative Justice.</p> <p>Jim’s successor will be Jason Klug. Emilio spoke about a program he and Tim were a part of previously and gave an example of one case with an offender.</p> <p>Emerging concerns: Matthew spoke about the impact on work efficiency as staff having to be teamed up, and gave examples of what his team are having to address and the dangers faced by the anti-social behaviour offenders.</p> <p>Jim gave examples using Restorative Justice and gave a brief outline of process. Informal Caution and then followed by a Formal Caution and then a Community Conference.</p> <p>Clarification around calls to 000 and when this number is to be called. Jim said when someone is threatened or in danger call 000. Discussion around spate of shoplifting. Also, discussion around the discrepancy between amount of shoplifting occurring and the amount being reported.</p> <p>Stuart Slade spoke about the non-reporting of shoplifting. Stuart stated we need extra police to hit the Glenorchy area to deal with these reoffending groups of shoplifting.</p> <p>Discussion around uniformed v’s plain clothes police officers. Statistics wanted showing if one is more successful than the other.</p> <p>Steve stated that he has a very positive view on what can be achieved and restoring persons displaying anti-social behaviour into thriving community members. He also said that he is very open to making relationships and working with other community groups and the GCC. His agenda is about building relationships with anti-social youth.</p> <p>Jan asked about the powers or responsibility available to Security Officers. Jim answered that they are absolutely able to make citizens arrest. Jim detailed parameters around citizen arrest and when this is valid and can be done.</p>

Item 1.4	<ul style="list-style-type: none"> • New CCTV cameras in CBD <p>Emilio and Ronan informed attendees that there has been 6 (six) cameras installed in the Glenorchy CBD. This is a great improvement.</p> <p>Jim Semmens added that this is a great resource for them too and would like the site map of where they are placed.</p> <p>Jan offered that there may be an opportunity to have volunteers watch the camera feed (instead of using Police resources to do this).</p> <p>Jim also clarified that currently there is no arrest possible for making a racially abusive slur or insult.</p> <p>Ronan thought a plan of having plain clothes officers patrolling would be advantageous and also expressed the opinion that he felt we should be proactive in promoting and advertising that this is happening and will help “feed successes”.</p> <p>Jim responded by saying that he will mention two (2) x training shifts which could potentially be utilised for doing this and will advise his successor that these shifts be used for plain clothes police officers to conduct foot patrol.</p>
Item 2.	<ul style="list-style-type: none"> • Any Other Business <p>Graffiti: Emilio spoke of the traffic control box and the trial of one outside of the Jobs Hub being wrapped; stating that we are looking to continue this and hoping for buy in from schools to be involved.</p> <p>The funding of 10 boxes to be done has been approved.</p> <p>Emilio and Tim are working to re-visit the Graffiti Management Plan.</p> <p>(There is a by-law to enforce companies to have graffiti removed if on their property).</p> <p>Matthew Browning added that there is an officer from Urban Services spend two 92) hours every morning checking for graffiti.</p> <p>Steve: Salvation Army are re-opening their offices in November. They will be having a celebration and Grand Re-opening. Steve extended the invitation for all to attend and will give further details as they come to hand.</p> <p>Steve welcomed all to visit to look at the new space they have and their room is available to Community.</p> <p>Items for Next Meeting Agenda:</p> <ul style="list-style-type: none"> • Graffiti • Grants: Cultural Diversity/Racism : Stuart Slade
Item 3.	<ul style="list-style-type: none"> • Next Meeting – Tuesday 24th September. 12pm – 1.30pm
Item 4.	<ul style="list-style-type: none"> • Meeting Close: 1.38 pm

	• Action List	
Attachment 1	ACTION LIST	

Date	Action	Resp Person	Due Date	Update
27/6/2024	Publicise activities in and through Northgate and communicate with Lisa and Luke	Ronan (Com.Dev Team)	Ongoing	Ongoing

SAFE & CLEAN CITY WORKING GROUP MEETING MINUTES 24th September 2024	
	
Time and venue: 12.00 - 1.30pm Mayoral Reception Room – Glenorchy City Council Chambers	
In attendance: Jason Klug – Tas Police, Peter Vogelslanger – Neighbourhood Watch, Ronan McDermott - GCC, Ald. Jan Dunsby – GCC, Emilio Reale – GCC, Ald Stuart Slade – GCC, Steve Woods – Salvation Army, Matthew Browning – GCC, Grace Duggan – Pulse Youth Health, Rowena Gilbertson – Metro Tas	
Apologies: Alyson Watts – THS, Lisa Williams -Vicinity Shopping Centres	
Minutes: Naomi Hansen	
Agenda	
Item 1	<ul style="list-style-type: none"> • Acknowledgement of Country <p>In recognition of the deep history and culture of our city, we acknowledge the Tasmanian Aboriginal People as the Traditional Custodians of this land. We acknowledge the determination and resilience of the Palawa people of Tasmania who have survived invasion and dispossession, and continue to maintain their identity, culture and rights. We recognise that we have much to learn from Aboriginal people who represent the world's oldest continuing culture. We pay our sincere respects to Elders past and present and to all Aboriginal people living in and around Hobart.</p>
Item 1.2	<ul style="list-style-type: none"> • Group Introduction <p>Ronan McDermott: Safe City Lead Officer Jason Klug: Tas Police Peter Vogelslanger: Neighbourhood Watch Steve Woods: Salvation Army Rowena Gilbertson: Metro Ald. Jan Dunsby – GCC Ald. Stuart Slade – GCC Matthew Browning – GCC Emilio Reale – GCC Naomi Hansen – GCC Grace Duggan – Pulse Youth Health</p>
Item 1.3	<ul style="list-style-type: none"> • Welcome to New Members <p>Welcome to Insp Jason Klug – Tasmania Police</p>
Item 1.4	<ul style="list-style-type: none"> • Service Updates from the Group & Emerging Concerns <p>Safe City Lead – Ronan McDermott 13th November Basketball against Racism Event Jack Jumpers will be involved. 3 x 3 Games running The game has been approved and t-shirts approved by the Communications and Media team. Several schools have been contacted and been asked to submit their teams.</p>

This event has been organised off the back of input received from young people stating what activities and events they would like to see and have.

T-shirts designed for the event. Ronan supplied attachment giving the photos of the design and colour of these t-shirts.

Feedback received was positive from most present.

Some discussion took place regarding the wording on the shirt and various ways this could be interpreted.

Ald. Slade voiced that he thought these types of promotion should go through Elected members to enable feedback prior to events being held.

Ald. Slade stated that he supports the event, but he doesn't support the way it got passed and approved.

Further discussion took place about the "message" and wording on the t-shirt design, with Matt Browning suggesting a slogan of: "Stop Racism Now" on the back may be a future inclusion.

Ald. Dunsby gave the opinion that the language on the t-shirt is not wording that young people use and is concerned that the biggest word on the shirt is: "RACISM" and may not see the entire design and other wording.

Steve Woods mentioned at first view the message on the shirts could be lost if not read properly.

Ronan McDermott informed attendees how far along the team is in the process of having these t-shirts printed.

Ronan explained that "kids do understand and use the word: Racism". The whole point is that it starts a conversation about racism amongst young people. Going on to say that the design and wording on the actual t-shirt is quite large and he is confident that the message is clear and well-defined on the shirts.

Emilio asked Rowena for input, stating that there had been some issues with bus drivers and is racism something that Metro has to deal with and if she had any advice and have any thoughts on how this could work.

Rowena confirmed that yes, Metro had experiences anti-social behaviour which may or may not have been racially motivated. Rowena went on to say that take an inclusive language approach but also added that she didn't feel qualified to comment on branding and marketing.

The second item Ronan gave an update on was some crime prevention advice brochures he has created for members of the public and small business owners. Ronan developed these after attending our Business with Breakfast safety talk where attendees developed safety tips for businesses. Ronan took this idea and took the next step, by creating brochures which can be used and distributed at the opening of the CommUNITY Hub, and at crime prevention stalls for

example: Protect yourself against vandalism, Protect yourself against Robbery etc.

Peter gave an updated for Neighbourhood Watch saying that they held a stall at Bunnings last month and that they will be having another stall during Crime Prevention Week.

Peter really wanting to build membership up.

Steve Woods spoke about some of the work they are doing at the Salvo's. Breakfast available, Safe Space, excited about Community lunch Lisa Rudd is holding there on Thursday.

Steve informed the group that they are really starting to gather some momentum and build some clientele after being shut for those few months.

Steve also mentioned attending some Bystander Training delivered by Dr. Zerlinda Sherlock. Very impressed with this training, very impactful, helping us to be upstanding citizens and do it safely. Steve stated that it was very practical and that he has shared it with all the workers at the Salvation Army.

Peter asked where he could get some information on the course.

Action: Steve to email course information to Peter

Emilio provided an update on a number of new CCTV cameras the Council have had installed including one camera in Claremont which provided us with some excellent footage of the new toilet block at Windermere Reserve being vandalised.

Emilio also gave an update of a case the Council was/is working on regarding a homeless person living in a caravan at Montrose Bay and how we are assisting him to move from the site.

Working Group also dealing with CBD Cleansing programmes – Emilio threw to Matt to speak about this.

Matt spoke about ongoing vandalism and graffiti and ways his staff are trying to address and clean the city of graffiti.

Matt spoke about work some of the Works Team have been doing to clean the city and address vandalism.

He also informed us of particular products available i.e. paint that can be used that can't be graffitied.

It is also not practical to have murals painted in a lot of instances as they too will then be tagged.

Emilio confirmed that a mural is going to be painted on the Transport Museum as this is actually our building on lease to them. The Transport Museum have launched a development application to put a mural on the wall as it faces Northgate and is a high traffic area.

	<p>Discussion and information were also given by Matt and Emilio in relation to Utilities and Corporate bodies being responsible for cleaning off graffiti on their infrastructure and stated that there is actually a by-law in place for them to do this.</p> <p>GCC has already approached TasNetworks who were very negative and refused to remove graffiti.</p> <p>Other bodies to be approached.</p> <p>Emilio stated that we don't want to go down the path of distributing infringements.</p> <p>Matt reported that due to some software Sarah has logged over 150 jobs in around six hours capturing graffiti.</p> <p>In regard to citizens, they often don't have the how, therefore or means to clean it, in these cases Council is happy to work with them.</p> <p>Matt found that some other councils on the mainland actually provide a kit to remove graffiti. Matt reported that his staff spend 2 hours per day in their cycle work addressing graffiti and vandalism.</p> <p>Insp Klug gave an insight on what police had been concentrating on in the city. Although, they are still seeing a lot of anti-social behaviour, shoplifting, robberies etc Police are seeing a drop in statistics for these incidents. Jason gave a ran through of the latest statistics he had for the city.</p>
Item 1.5	<ul style="list-style-type: none"> • Update on Traffic Signal Boxes <p>There has been a delay on any more traffic signal boxes being wrapped due to bad weather.</p> <p>There are 10 boxes budgeted to be wrapped and we have written to 13 primary schools for interest. We have received 11 replies to date.</p> <p>Emilio explained that school children to be involved in the designs, once these are chosen, they are printed onto vinyl wraps. This is then installed on the boxes and this has an anti-graffiti coating on it.</p> <p>By the end of November, we are wanting to have the designs back and with the printers for the start of the school year.</p>
Item 2	<ul style="list-style-type: none"> • Any Other Business <p>Steve relayed a good news story of a client they were able to assist on numerous fronts.</p> <p>There was some clarification in relation to this anecdote regarding free Metro rides for those without money to pay for a fare.</p> <p>Rowena informed that Metro do need a fare however, there are a number of concession options available for disadvantaged, people who are homeless, or have no available cash. Rowena strongly suggested Steve contacts the dept of</p>

	<p>State Growth about options available, this also prevents a situation where a passenger would have to tell the driver that they have no money. We want people to be able to maintain their autonomy and their dignity.</p> <p>Steve extremely pleased with this helpful information.</p> <p>Rowena reported that Metro has restored fully its services into Gagebrook, which is a good outcome for residents.</p>
Item 2.1	<ul style="list-style-type: none">• Next Meeting – Thursday 28th November 12pm – 1.30pm
Item 3	<ul style="list-style-type: none">• Meeting Close: 1.18 pm

Attachment 1	ACTION LIST	
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Date	Action	Resp Person	Due Date	Update
24/09/2024	Provide information to Peter re: Sherlock & Dutta – Bystander Training	Steve Woods	TBA	