

TASMANIAN PLANNING SCHEME – PARKS AND RESERVES

The Tasmanian Planning Scheme (TPS) provides clarity for the assessment of developments in our national parks and public reserves and avoids duplication of other existing assessment processes.

How does the Tasmanian Planning Scheme manage use or development in national parks and reserves?

Under the TPS, use or development is managed by the application of zoning of land and through applicable code and other provisions.

➤ Zoning

Under the TPS, land within national parks and public reserves are to be zoned Environmental Management. This includes land reserved under the *Nature Conservation Act 2002* and within the Tasmanian Wilderness World Heritage Area.

The main purpose of the State Planning Provisions (SPP) Environmental Management Zone (EMZ) is for the protection, conservation and management of areas of land with significant ecological, scientific, cultural

or aesthetic value or with significant likelihood of risk from a hazard.

The EMZ includes a permitted pathway for use or developments, for which an authority is granted under the *National Parks and Reserved Land Regulations 2009* (NPRL Regs) or granted by the managing authority or approved by the Director General of Lands under the *Crown Lands Act 1976*.

Assessment of such use and development is largely managed through the current Reserve Activity Assessment (RAA) process, which is administered by the Department of Primary Industries, Parks, Water and Environment (DPIPWE).

Local councils should not be responsible for the assessment of use and development on reserved land, in accordance with reserve management plans and the reserve objectives administered under separate legislation. This is DPIPWE's responsibility in administering the relevant legislation for national parks and public reserves.

In conjunction with the making of the SPPs, and in response to the matters raised during the hearings, the Government agrees that a review of the

RAA process be undertaken. This will further strengthen the processes to ensure our national parks and reserves are appropriately managed.

For use or development on State-reserved land to be permitted in the EMZ, the authority/approval would need to be granted prior to its approval being granted by the relevant local council under the *Land Use Planning and Approvals Act 1993* (LUPAA). Use or development without the necessary authority/approval will be considered as a discretionary use or development in accordance with the provisions of the EMZ.

The SPPs adopt a similar approach to that already operating in a number of interim planning schemes, which defers assessment of use and development to the relevant managing authorities if located on Crown land whether through a permitted or a discretionary use status. The Acceptable Solution use standard is met if a State approval is given.

The SPPs simplifies this process by provider further clarity on the roles of the relevant assessment authorities.

➤ *Codes and other applicable provisions*

The SPPs also include a suite of 16 codes that variously apply to use and development on matters relating to the protection and provision of infrastructure, protection of values, and the consideration of hazards.

Some SPP codes may be applicable to use or development on State-reserved land and the provisions in these codes

may cause the proposal to become a discretionary use or development.

Specific SPP codes that may be applicable to use or development on State-reserved land include:

- Signs Code
- Parking and Sustainable Transport Code
- Road and Railway Assets Code
- Scenic Protection Code
- Natural Assets Code
- Attenuation Code
- Coastal Erosion Hazard Code
- Coastal Inundation Hazard Code
- Flood-Prone Areas Hazard Code
- Bushfire-Prone Areas Code
- Potentially Contaminated Land Code
- Landslip Hazard Code

The application of SPP codes to State-reserved land is consistent with the approach in interim planning schemes. This acknowledges that the codes often deal with issues that may not be adequately considered as part of a RAA, such as the assessment of hazards like bushfire, flooding (riverine and coastal flooding), coastal erosion and landslip hazards.

Some matters are also more appropriately assessed by the local councils, such as signage (where not exempt), and car parking and access requirements (where relevant).

The SPPs include some exemptions for landscaping and vegetation management on State-reserved land, along with certain vegetation clearance undertaken in accordance with a certified forest practices plan.

The SPPs also exempt certain use or development from assessment against some codes. The Natural Assets Code exempts some clearance of native vegetation within a mapped priority vegetation area if on State-reserved land in addition to any remedial or protection works undertaken by or on behalf of the Crown or a State authority.

The Bushfire-Prone Areas, Coastal Erosion Hazard, Coastal Inundation Hazard and Landslip Hazard codes also include exemptions for some minor developments and development that is managed through the building regulations.

Where can I get more information about the Tasmanian Planning Scheme?

General information about the Tasmanian Planning Scheme and the preparation of Local Provisions Schedules can be found on the [Tasmanian Planning Reform website](#).

General enquiries about the preparation of the Tasmanian Planning Scheme should be directed to:

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Enquiries on the public exhibition and assessment process should be directed to: