

From: [REDACTED]
To: [Planning Unit](#)
Subject: Submission on the Land Use Planning and Approvals Amendment (Major Projects) Act 2020.
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Planning Policy Unit
Department of Justice
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I write regarding the draft *Land Use Planning and Approvals Amendment (Major Projects) Act 2020*.

Tourism Industry Council Tasmania (TICT) is the peak industry body for the Tasmanian tourism industry. We are a not for profit organisation that brings together the many businesses and tourism sectors that make-up Tasmania's visitor economy to present a strong and united voice to all levels of government and the community.

TICT welcomes this long-overdue reform of the LUPA framework in relation to particularly large, significant and complex development proposals in Tasmania.

We note these reforms essentially replace the failed Projects of Regional Significance process. It is regrettable it has taken so long for Tasmania to re-establish effective 'call in' powers on complex development proposals, as are in place in other States, but we welcome the Government's initiative in finally progressing these reforms.

TICT supports the overall intent of the Act, and the need to establish an effective framework under LUPA for Councils to request, and the Minister for Planning to initiate, a stand-alone expertise-based assessment of complex development applications.

We have seen recent examples in our industry of small councils with limited planning resources struggling to balance complicated development applications with intense public scrutiny completely disrupting the assessment process. We have also seen examples of Councils compromised in their roles as both the relevant and land manager, undermining both investor's and community confidence in their credibility as the planning arbitrator.

TICT supports the discretion for the Minister in declaring a Major Project. We are pleased there is no proposed minimum monetary threshold on the scale of projects to be considered as Major Project under the amendments, as was considered in the initial consultations on the reforms and is in place in some other jurisdictions.

Some of the projects in our sector most likely to be applicable under these reforms are not 'large' in scale, but rather complicated from a LUPA perspective. In this context, we do suggest the Government consider alternative names for the amendment, and the process; 'Major' implies large in scale. Perhaps 'Major and Complex Projects' would be a more appropriate terminology.

We welcome the time provision for projects to progress through the Major Projects process. This will clearly reduce uncertainty and costs for both developers and the community. Progressing proposals through RMPAT and potentially onto the Supreme Court is extremely expensive for no certain outcome. We have seen frequent examples of projects effectively lost in a black hole of uncertainty from Councils rejection to appeals.

We note the potential for this process to applied over complex development proposals within Tasmania's protected areas. This is obviously an area of considerable debate and concern for many in the community. As an industry, we are concerned by the ongoing consternation around the approval process for tourism activities in protected areas.

We see the potential for this Major Projects process to be triggered for complex development proposals within Tasmania's protected areas, instilling experts into the decision making about projects of unusual environmental, scientific, and economic complexity. This can only be a good thing. The potential for the Assessment Panels to request a Reserve Activity Assessment (RAA) process potentially overcomes one of the criticisms of the current process of considering tourism activities in protected areas, with Parks and Wildlife both the regulator and land manager of activities within their reserve areas.

We welcome the proposed legislation, and a much-needed positive reform of the Land Use Planning framework in Tasmania.

Yours sincerely,

Luke Martin
Chief Executive
Tourism Industry Council Tasmania



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