

Planning law changes deliver reduced rights for the public

IN State Government planning advertisements, the scissors slicing through the red tape are destroying so much more than red tape.

It is galling that the ads are funded from the public purse because they do nothing to reassure the community the changes to planning laws will actually deliver better planning outcomes in Tasmania.

Certainly Tasmania deserves better planning. Planning Institute of Australia Tasmanian president Irene Duckett captured it beautifully when she said: "Planning would achieve better outcomes with a mantra of strategic, sustainable and

Creating liveable communities must be the focus, says Anne Harrison

integrated." (*Planning Institute of Australia News*).

The advertisement claims a more level playing field, but who profits? A narrow development interest may profit but we cannot see how the new planning laws will be fairer as the public will now

have greatly reduced rights.

If a development is "permitted" you will probably have no right to know or to appeal, so when that huge house goes up right next to you, actually on your boundary, with a wall 3m tall and up to 9m long, you may not be notified. The 8.5m tall house may cast a shadow nearly 20m long in middle of winter, reduce the efficiency of your solar panels and affect your privacy. The resultant overlooking may decrease your property values significantly (a potential decrease of \$100,000 has been quoted in one case) and your street may become an on-

street car park as bigger buildings are built on ever smaller blocks, now down to 450sq m in most suburbs. Those scissors will be snipping away at our quality of life, gutting our communities and beautiful suburbs.

The ad claims greater consistency. The public may well want greater certainty, as do developers. If the community had been genuinely involved at the outset of developing these new planning laws, the public may be accepting of greater consistency provided it ensured an appropriate level of built environment quality. We want a consistently high-

quality planning system, one which delivers the best possible future for all Tasmanians, which is based on sound strategy and policy and has people, liveable communities and sustainability at its heart.

We want to see good design in the new planning rules. We are now seeing blocks go to multiple units and trees chopped down, irrespective of biodiversity codes, soil reports and traffic issues. Cram them in — 24 units instead of the 18 requested by the community. The more concrete the better, get rid of the soil, soft surfaces, trees and garden. Blow the stormwater problems.

Councils can sort that out later, and pay for it.

So yes, there is a greater consistency because more developments, now permitted, cannot be refused by councils. One senior planning officer has recently said: "It is getting harder and harder to refuse a development." And another called it a "race to the bottom" and said he would not be living in any of the units he is forced to approve.

The Tasmanian Planning Commission recommended a priority review for these draconian residential provisions but this may not happen for several years.

Meanwhile, those scissors

are snipping away at local character, good design and quality of life across the state.

The ad says it will be fairer. Certainly not fairer for you if that house next door goes up to 8.5m-plus and takes all your sunlight but the council says the only way to remedy this is to "go up yourself or move".

The ad says simpler. Feedback from councils is that their planning responsibilities are getting more complicated and legal disputes are likely due to vague, poorly defined "performance criteria".

The advertisements are not giving us the necessary information. They do not tell us about the extra ministerial

powers around major projects which could provide call-in powers for the minister when a project is unnecessarily held up or where it has to comply with two or more pieces of legislation.

Councils are preparing local provisions now, but it is unclear how much latitude councils are given to look after ratepayers and local areas. If there is a special place you think should have a finer grain of treatment, this may be disallowed. Historic Kangaroo Bluff, also known as Bellerive Bluff, has recently been denied the protections of a Specific Area Plan because it does not meet the strict rules.

So those scissors have done an excellent job. They silence our individual and community voice, allowing development at any cost and impacting local character, our rights to privacy, sunlight and amenity, all with no assurance of quality design.

With an election approaching, we ask Tasmanians to consider which government will give us better planning. We demand a planning system which has been properly endorsed by the community and is strategic, sustainable and integrated, one which allows ratepayers and our elected representatives the right to stand up for quality of life,

good design and special places we love. Whether it is units or huge houses next door, high-rise towers in our cities, development permitted in national parks or tall apartments in coastal villages, these new planning laws allow unrestrained development.

Much will be irretrievably lost if those scissors keep on cutting.

Anne Harrison, a retired teacher, is founding member of the Tasmanian Planning Information Network and a member of the Planning Matters Alliance, which represents about 50 groups across Tasmania.