

It's time to keep planning matters local

PMAT understands there are problems with the current system but this doesn't warrant taking planning decisions away from councils, writes **Sophie Underwood**

THE critical question to ask your local candidates in the upcoming local government election is 'If elected will you support retaining councils as a planning authority?' That is, if elected would you want to retain the power to vote on the developments that have the greatest impact on your local community? Would you want to give up this right to represent your local community?

There is a very real likelihood that in the next term of local government councillors will be asked to vote on this critical question, one which would change not only the face of local government in Tasmania forever, but also how the community have a say on local planning decisions.

The Property Council has been calling for planning decisions to be taken from local councils. Planning Matters Alliance Tasmania believes that there are problems with the current system but this doesn't require the dramatic action of taking planning decisions away from councils.

Many of the most controversial developments are discretionary in planning schemes, meaning they are potentially allowable but require a vote of elected councillors to be approved. A development can be refused or approved with conditions. This is a fair process where the elected representatives get a vote on developments that are of most interest to their communities.

In recent times councillors have had a vote on Lake Mathena Kosny Hill tourism development, kunanyi/MT Wellington cable car, Cambria, Robbins Island wind farm and others. This fair and democratic process is under

threat. If communities are unhappy with how councils have voted on developments they can vote them out at the next election.

The Property Council and some councillors falsely claim that councils have a conflict of interest acting as both a council (representing ratepayers' interests as specified in the Local Government Act 1993) and acting as a planning authority (implementing the Land Use Planning and Approvals Act 1993). Councils can and do, do both with no apparent conflict.

Our legal advice confirms that there is no conflict between councils representing their communities and acting in the best interests of the community deciding development applications as a planning authority.

PMAT understands that one of the current highest priorities of the Property Council is to remove planning decisions from local councils and have them instead determined by state appointed 'independent development assessment panels', similar to those operating in NSW.

There are problems with the way some councils deal with development applications, but most can be fixed with more funding, especially for councillor training, planners and other expert advisers.

In most jurisdictions where 'independent' development assessment panels have been introduced, decisions by panels are triggered for a development over a certain monetary size or have received a certain amount of representations. Thus many of the most contentious large-scale developments, which liberal mayors have joined approving NSW developments – states local planning panels were created to stamp out corruption, but councillors from across the political



Sophie Underwood from Planning Matters Alliance Tasmania believes local councils have an important role to play in voting on developments that are of most interest to their communities.
Picture: Sam Rosewarne

Sydney Morning Herald article, published in August 2021, titled – How 'unelected faceless men and women' keep approving NSW developments – states local planning panels were created to stamp out corruption, but councillors from across the political

spectrum say they favour developers and undermine democratic accountability.

Liberal mayors have joined Labor and Greens councillors in criticising the NSW planning system.

Quotes from elected representatives include, "As a

councillor it is frustrating to not be able to support our community and advocate on their behalf with regards to concerns related to development applications"; "As locals we understand our community better than anyone and we are acutely

aware of the impact of poor planning outcomes"; "I am mindful that they do represent a further erosion of the authority of our elected officials who represent our residents' and the panels ... tend to be drawn from the development industry in the

form of lawyers, planners and architects, and this favours developers over residents".

Rather than remove council planning responsibility, we should be improving their ability to perform their role as a local councillor and consider less

dramatic alternatives than removing planning from local councils.

We should keep the status quo where councillors vote on developments and by doing so represent their electors.

The current problems don't require taking planning away

from councils. The problems can largely be fixed by resourcing councils better.

We want to keep local councils local – looking after local issues for local people. We want councils to continue their vital role as 'place shapers' underpinning

community wellbeing and enriching our cultural and natural heritage, lifestyle and democracy.

Sophie Underwood is the state co-ordinator of the Planning Matters Alliance Tasmania.