

“In Support of Progress” Newsletter

In this issue

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Planning Laws

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A Planning Issue?

With some fanfare, the State Liberals have announced that if they are elected to government, they will move to establish a single planning scheme for the State. Sounds good, but they have provided no details as to what the single planning scheme might contain. At first blush, it certainly sounds better than operating under the 34 schemes that we have at present. No questions there. But imagine operating under a single scheme that doesn't work. That would be a disaster. So before embracing the policy, the Liberals will need to put flesh on these bones.

Local Government

Over the past few months, I have been contacted by a number of people regarding planning issues as a result of comments made in this newsletter. All have been to tell stories of issues they have had with the present planning regime, and the issues have ranged from big projects to home renovations.

Chief among these was the Parliament Square proposal. In this instance much of the delay was caused not by the planning scheme as such, but by third party appeal rights and heritage-related issues. The celebrated hole-in-the-ground that was once the Myer store has remained a hole in the ground for so long because of heritage-related issues. A detailed archaeological excavation of the site proved the existence of previous buildings on that site. Maybe I should be more circumspect in my comment here, but that was a lot of effort and expense for very little in return. In fact, the requirement to carry out the excavation led the initial investors to walk away from the project and invest their money elsewhere.

A recent development application for a subdivision in Clarence was supported by the Council but involved a change of zoning. The proposal was then knocked back by the Planning Commission on spurious grounds regarding rural subdivision infill. Another development on rural land was knocked back on the grounds that a third party appellant thought the development might impede their bucolic views. As a result the development, which was an extension to an existing operation, did not proceed and the owner decided to walk away from the business. It is now closed.

A cafe built on the site of an existing retail outlet in Hobart had to fulfil the requirements of it being a 100-seat restaurant. The cafe owner advises he required 18 separate approvals before he could re-open the pre-existing retail outlet. Another advises of their frustration in not being allowed to open a retail outlet in an existing empty retail premises because it might have attracted too many customers, and would reduce the amenity of the area. The request occurred over 9 months ago, and the premises remain empty.

The recent publicity surrounding the vineyard in the north of the State that holds receptions in a marquee, and is now no longer able to do so because of local planning requirements is but the latest reminder that the present laws are being used in such a way as to hinder development and stifle those who want to get in and do something.

In each of these cases, costs become prohibitive, investment is not made, employment is not generated, economic activity is stifled. For the Liberals to win support for this policy they must first address the more fundamental issues underlying the present malaise.

One of the underlying features of the present arrangements is that planning officers at Council level seem to be seeking reasons to stop things from happening, as distinct from finding the way to enable things to happen. They are not doing their job if they can't find fault. So one of the issues that needs to be addressed is the way Council officers approach their role. In this regard it makes sense for Councils to consider a coalescing of their planning offices to enable a critical mass of talent to be formed to address development applications.

Another is that local planning schemes need to be flexible. We do live in a changing environment, and planning should allow for change. A rigid approach stifles innovation and stops us doing things in new and exciting ways. The development of the MONA precinct has shown us what we can do. Like it or not, the Menzies centre has also broken new ground in its approach to its building design. We should be encouraging more exciting architecture in our precincts. New ways of living, new ways of doing things. To do this we will require a new and more flexible approach to planning issues. It will require more than simply having a single scheme.

Is it a Planning Issue?

For over a year now a girl has been living in a tree. The whole world knows of this, because the environment movement has helped spread the word. She is doing it to publicise her desire to preserve a piece of forest. What planning laws and authorities would I need to get if I wanted to live in a tree. Water, sewerage, occupational health and safety, hygiene issues would all loom large. Maybe it would even involve a zoning issue. Needless to say I would not get permission to live in a tree. Nor would you! It's time to put an end to this farce .

Local Government Reforms

While on the subject of local government, the State government's recent announcement for change in local government matters is welcomed. It is a step in the right direction. Four year terms, compulsory voting, and all-in all-out elections are good steps to take. I remain unclear as to why these steps have been taken so tentatively, but at least they are being made. And being made with a timeline in mind. All to be in place this year.

This newsletter is supported by Tasman Management Services.



Further information is provided at www.julianamos.com.au

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