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4 March 2020

Councillor Mary Knowles  
Mayor  
Northern Midlands Council  
PO Box 156  
LONGFORD TAS 7301

Email: [council@northernmidlands.tas.gov.au](mailto:council@northernmidlands.tas.gov.au)

Dear Mayor

As you may be aware, the proposed Major Projects assessment process has been developed to replace the current Project of Regional Significance (PORS) assessment process under the *Land Use Planning and Approvals Act 1993*.

After two extensive consultation rounds and over 350 submissions, the Department of Justice's Planning Policy Unit (PPU) has prepared a final exposure draft of the Land Use Planning and Approvals Amendment (Major Projects) Bill 2020. This final exposure draft is being released for comment, with the expectation that it will be tabled in Parliament in May 2020. A copy of the Bill is now available on the PPU ([planningreform.tas.gov.au](http://planningreform.tas.gov.au)) website.

The final exposure draft of the Bill incorporates a range of matters identified during the Government's consultation process undertaken to date. A summary of amendments arising from consultation is enclosed for your information.

The Government's Major Projects assessment process will provide the certainty and clarity that the current PORS process lacks. The process will provide confidence to both proponents and the broader community that economically significant proposals will receive fair, objective and timely consideration, with decisions made by an independent and expert Development Assessment Panel.

For your information, I also enclose a flow chart detailing key steps in the assessment process in the attachment to this letter.

I would welcome your feedback on the Bill – please provide any comment or concerns you may have to the PPU by email at [planning.unit@justice.tas.gov.au](mailto:planning.unit@justice.tas.gov.au) by 9 April 2020. Should you like further clarification on the Bill or the Major Projects process more broadly, the PPU would be happy to provide a briefing and can be contacted on 6166 1429. Further information can be found on the [PPU \(planning reform\) website](http://planningreform.tas.gov.au) (planningreform.tas.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'R Jaensch', enclosed within a large, loopy blue oval.

Hon Roger Jaensch MP  
Minister for Planning

cc: John Jordon, General Manager

Attached –

- Summary of changes
- Flow chart detailing key steps in the assessment process

## Summary of changes following consultation: draft Major Projects Bill

A number of minor changes have been made throughout the draft Bill to address inconsistencies, remove duplication and improve certainty in regard to timeframes and process.

Various changes have been made to each stage of the assessment process to address concerns raised during consultation. These are summarised below.

### Stage 1 – Eligibility

- The ability for a planning authority to refer a proposal for consideration for declaration as a major project has been reinstated.
- The ability for the Minister to seek advice from State Agencies and other notifiable bodies in regard to a proposal's eligibility has been reinstated.
- TasWater and TasNetworks have been added to the list of notifiable bodies.
- A clause has been added to clarify that the Minister's determination in regard to a proposal's eligibility must be informed by guidelines produced by the Tasmanian Planning Commission, which will quantify the eligibility criteria.
- The previous exclusion of projects on the basis of height alone has been removed, as a proposal must now satisfy at least two of the eligibility criteria.
- Clarification that while a proposal may be declared if it would be prohibited under the relevant planning scheme, it cannot be declared if it would be in contravention of a State Policy or Tasmanian Planning Policy or inconsistent with the relevant regional land use strategy.

### Stage 2 – Preliminary Assessment

- New clauses have been added to clarify the procedures and powers of the Development Assessment Panel.
- Clauses in relation to the Tasmanian Planning Commission preparing guidelines to guide regulators' assessment have been deleted.
- The required contents of the Assessment Guidelines have been amended to delete all references to regulators' providing the panel with draft conditions or restrictions.

### Stage 3 – Assessment

- The required contents of the Project Impact Statement have been amended to delete all references to addressing draft conditions or restrictions.
- The post-hearing consultation on proposed permit conditions has been removed.
- All references to 'in-principle permit commencement conditions' have been removed, and clauses in relation to a permit coming into effect amended accordingly.

Eligibility Assessment Stage

The proponent, Council or Minister refers a project for consideration to be declared a major project.

A major project proposal is provided by the proponent for consideration

The major project proposal is assessed against the eligibility criteria and ineligibility criteria

The Minister declares proposal is a major project and provides a statement of reasons.

The Minister is required to consult with planning authorities, and may also consult with relevant agencies and bodies, in regard to the eligibility of a project. The Commission provides guidelines to quantify the eligibility criteria.

The Minister declares proposal is not a major project and provides a statement of reasons

Timeframe: 49 days plus time for proponent to provide additional information (if applicable). Key timeframes:

- 7 days for notification
- 28 days for parties to respond to minister
- 14 days to make decision on whether to declare it a major project

Preliminary Assessment Stage

The Commission establishes a development assessment Panel

The Commission provides major project proposal to Panel and relevant regulators

The regulators provide the Panel with their assessment requirements (as applicable)

Panel prepares assessment guidelines

Assessment guidelines provided to proponent and published

The Regulators may request further information from the proponent if required to assess the proposal.

A regulator may advise the Panel that there is no reasonable prospect of approval

The Minister may revoke declaration as a major project by notice in the *Gazette*

When project requires assessment under the *Environment Protection and Biodiversity Control Act 1999* (EPBCA), draft assessment guidelines are exhibited for 28 days calling for submissions

Timeframe: 49 days plus time for proponent to respond to additional information request (if applicable), Key timeframes:

- 42 days to establish panel
- 7 days to refer project
- 28 days for regulators to provide advice
- 14 days to finalise assessment guidelines

Note: Assembling the Panel and preparation of the assessment guidelines are carried out at the same time

Assessment Stage

The proponent provides the Panel with a major project impact statement

Project impact statement provided to regulators for consideration

The regulators provide preliminary advice to Panel

The Panel prepares a draft assessment report

The draft assessment report, assessment guidelines and major project impact statement are exhibited and representations are invited.

The Panel holds hearings

The regulators provide final advice to Panel, including conditions and/or restrictions

The Panel finalises assessment report

The Panel may grant a major project permit subject to conditions and/or restrictions

The Panel and regulators may request further information from proponent if required

A regulator may recommend that the Panel refuse to grant a major project permit

The Panel may consult with relevant agencies and bodies

A regulator may recommend that the Panel refuse to grant a major project permit

The Panel may refuse to grant a major project

Timeframe: 195 days plus time for proponent to prepare Major Impact Statement ( up to 12 months) and to respond to additional information requests. Also additional time for EPA when project is also assessed under EPBCA 1999. Key timeframes:

- 42 days for regulators to provide preliminary advice
- 14 days for panel to draft assessment report
- 28 day exhibition
- 28 days to start public hearings from the end of the public exhibition period
- 90 days for final decision from the end of the exhibition period



NORTHERN  
MIDLANDS  
COUNCIL

## PROJECT BRIEF

### SOUTH LONGFORD EXPANSION

#### 1. BACKGROUND

Council invites tenders from appropriately qualified and experienced consultants to produce the South Longford Expansion Strategy ("the Strategy").

The Northern Midlands Council endorsed the Northern Midlands Land Use and Development Strategy at its meeting of 21 October 2019. However, that strategy does not look specifically at future expansion of the township of Longford over the next 20 years.

The Strategy must be sufficiently detailed to enable rezoning and planning scheme amendments to be supported, whilst being flexible enough to support the dynamic evolution of land use demand over the life of the Strategy.

#### 2. PURPOSE

The primary purpose of the Strategy is to inform land use planning decisions for the area south of Longford for the next 20 years.

#### 3. OUTCOMES

The Strategy will provide a blueprint for how the township of Longford should grow and expand. The Strategy needs the flexibility to support innovative opportunities in line with Council's Strategic Plan 2017-2027.

#### 4. METHODOLOGY

The strategy is to be undertaken in the following stages, and by completing the following tasks.

##### 4.1 Background Report

Preparation of a background report based on desktop surveys, site inspections, literature reviews, analysis of data, and consultation with council staff and relevant authorities.

##### 4.2 Production of Draft Strategy

The consultant will produce a draft strategy based on the findings of the background report.

The draft strategy will be presented to Council to be endorsed.

#### **4.3 Community Consultation on Draft Strategy**

The consultant will undertake community consultation on the draft strategy in accordance with the consultant's proposed consultation strategy in response to this brief, or as otherwise agreed with the council in writing.

In conjunction with the consultation strategy, the council will undertake public exhibition of the draft strategy by:

- placing public notices in the Examiner,
- displaying the draft strategy on the Council's website and at the Council offices in Longford; and
- providing to the Longford and Cressy Local District Committees for comment.

#### **4.4 Production of Final Strategy**

The Strategy will be finalised based on feedback provided during the consultation stage.

#### **4.5 Adoption of the Strategy**

The consultant will make any changes to the draft strategy as a result of public exhibition and council comment.

The consultant will present the final strategy to a council meeting.

The consultant will make any amendments to the final strategy required by the council, and include in the strategy the date of the council's decision to adopt the strategy.

The council will undertake public notification of the adopted strategy by placing public notices in the Examiner, displaying the strategy on the council's website and at the Council offices in Longford.

### **5. RELEVANT CONSIDERATIONS**

#### **5.1 Relevant Documents**

The strategy will take into account relevant documents, including:

- Northern Midlands Interim Planning Scheme 2013;
- Draft State Planning Provisions of the Tasmanian Planning Scheme;
- Draft Local Provisions Schedule of the Tasmanian Planning Scheme;
- Northern Midlands Land Use and Development Strategy;
- Regional Land Use Strategy of Northern Tasmania;
- Development Plan for Longford.

#### **5.2 Regional Land Use Strategy**

The Strategy will reflect the Northern Regional Land Use Strategy and provide rationale for any recommended variation from the Northern Regional Land Use Strategy.

#### **5.3 Services**

The Strategy must take into consideration water, sewer, stormwater, electricity, gas, phone and NBN services by:

- Consulting with the relevant service providers;
- Assessing the current service infrastructure, and factor this into the assessment of land zones;
- Make recommendations with regard to the provision, utilisation, upgrade and protection of infrastructure;
- Opportunities to extend provision of reticulated gas;
- Opportunities to extend provision of NBN;
- Assessment and recommendation of appropriate frequency level of storm events, etc. for planning and infrastructure purposes, in accordance with current best practice.

#### 5.4 Land Use

The Strategy will recommend any land to be re-zoned.

#### 5.5 Strategic Vision, Sense of Place and Character Statements

The Strategy will:

- Determine the sense of place – the intrinsic character of a place and the meaning people give to it for Longford.
- Formulate sense of place and character statements for the area south of Longford.
- Recommend ways to protect the sense of place and character identified for Longford.
- Formulate concept plans visually presenting the strategic vision for the land south of Longford.

#### 5.6 Fees

The consultant is to submit a detailed fee schedule, including a schedule of tasks and resource allocation (i.e. allocated to whom).

Progress payments are to detail the work being claimed in relation to the fee schedule.

#### 5.7 Deliverables and Timeframes

The consultancy should be delivered in two stages over one financial year:

Stage 1	Draft South Longford Expansion Strategy	Timeframe
Stage 2	Final South Longford Expansion Strategy	Timeframe

All reports are to be presented in:

- Hard copy form; and
- Electronic form.

#### 5.8 Budget and Payment Schedule

A formal contract will be signed with the consultant.

The payment schedule will be:

- First payment (20% of total) upon commencement of the project
- Second payment (30% of total) on the satisfactory completion of Stage 1
- Third and final payment (50% of total) upon satisfactory completion of Stage 2

### 5.9 Intellectual Property Ownership and Research/Investigation Documentation

Any intellectual property rights associated with this project will be assigned to the Council. On completion of the study, all materials produced in the course of the project will be delivered to the Council.

### 5.10 Selection Criteria

Proposals will be assessed by the Project Team on the basis of:

- **Appreciation of the work required (40%):**
  - Details of the methodology and scope of works to be conducted.
  - The consultant's understanding of the nature and scope of the project, and the need to appreciate and manage stakeholder interests and expectations
- **Experience on similar projects (35%):**
  - Description of similar projects undertaken by the consultant
- **Capacity to undertake the work (Required):**
  - Qualifications and availability of consultants to be assigned to the task, and qualifications and availability of planned sub-consultants
- **Management systems (Required):**
  - Outline of systems to manage costs, time and quality associated with the task
- **Financial (25%):**
  - The proposed budget for the consultancy

### 5.11 Request for Tender

A Request for Tender will be publicly called from appropriately qualified and experienced consultants.

Tenders are to be submitted by 5.00pm on **INSERT DATE**.

### 5.12 Further Information

Further information can be obtained from Paul Godier of Northern Midlands Council on 03 6397 7303 or by emailing [planning@nmc.tas.gov.au](mailto:planning@nmc.tas.gov.au).