

19 July 2023

Andrew Roberts  
Director – Heritage Tasmania

Via email: [andrew.roberts@heritage.tas.gov.au](mailto:andrew.roberts@heritage.tas.gov.au)

Dear Andrew

***Draft Historic Cultural Heritage Amendment Bill 2023***

Thank you for the opportunity to provide a submission on the *Draft Historic Cultural Heritage Amendment Bill 2023* (the Bill). This submission has been prepared by the Local Government Association of Tasmania (LGAT) on behalf of Tasmanian local government, in collaboration with our members; all 29 councils.

LGAT is incorporated under the *Local Government Act 1993* and is the representative body and advocate for local government in Tasmania. Where a council has made a direct submission to this process, any omission of specific comments made by that council in this submission should not be viewed as lack of support by LGAT for that specific issue.

Please contact Michael Edrich, Senior Policy Officer, if you have any questions or would like further information, at [michael.edrich@lgat.tas.gov.au](mailto:michael.edrich@lgat.tas.gov.au) or 03 6146 3740.

Yours sincerely



Dion Lester  
**CHIEF EXECUTIVE OFFICER**

## LGAT Submission: Draft *Historic Cultural Heritage Amendment Bill 2023*

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### Introduction

We sought comment from our members but had a very limited response. We believe that this is likely an indication of the workload of land use planners, with their daily work as well as the range of major concurrent reviews underway.

The feedback we did receive was focused on:

- Better alignment with the *Land Use Planning and Approvals Act 1993* (LUPAA) for improved operation and usability.
- Closer engagement with local government to achieve better operation.

### Align with planning legislation

The feedback we received revealed a concern that the changes proposed are a move away from alignment with the planning system and LUPAA. The proposed 'minor works approval' appears to represent a separate and new approval category, with its own level of assessment and conditioning ability. This adds complexity for all users of Tasmania's development regulation system, including councils, proponents and other stakeholders.

For usability by all parties and seamless operation, development regulation should ideally be consolidated and integrated into LUPAA as the primary development regulation act. While separate from this Bill, changes to development assessment regulation should, wherever possible, align with existing and core development assessment legislation. In addition to improving legibility and public understanding of the changes, it also prepares our various components of the Tasmanian Resource Management and Planning System (RMPS) for future integration improvements. Moving away from this alignment adds fragmentation and makes this task more difficult.

**Recommendation: deliver a workshop with local government to explore LUPAA alignment opportunities, in parallel with the progress of this Bill.**

### Engagement with local government

We acknowledge and commend Heritage Tasmania's good practice in both allowing an adequate six weeks for review of the proposed changes and the offer of an information session on the Bill. The early approach to local government last year for preliminary comments was greatly appreciated.

However, there appear to have been some gaps in the communication, as we did receive limited feedback that some would have liked a closer engagement opportunity to workshop the proposed changes. In addition to work through other potential improvement opportunities with the *Historic Cultural Heritage Act 1995* and its relationship to LUPAA.

We acknowledge that LGAT and local government has a role in identifying these opportunities early so that they can be acted upon. We will endeavour to do this.

**Recommendation: develop an engagement strategy for future work with local government to support continual improvement of our development regulation framework.**