

CLAUSE NOTES

Greater Hobart Bill 2019

Part I – Preliminary

Clause 1 Short title

Clause 2 This clause provides for the Bill to commence on the day it is proclaimed.

Clause 3 This clause defines certain terms for the purposes of the Bill.

The terms used include the governance arrangements and work program as identified in the Bill. It also references the Southern Tasmanian Regional Land Use Strategy as established through the *Land Use Planning and Approvals Act 1993*.

The **Greater Hobart area** is defined as capturing the municipal areas of the Clarence, Glenorchy, Hobart and Kingborough councils, however, the Bill also captures **adjunct councils**, which provides an opt-in mechanism for any council in the southern region to be invited to be part of the implementation of specific actions in the agreed work program.

Clause 4 This clause notes that the objective of the Act is to support greater collaboration, particularly with regard to the efficient use of infrastructure and strategic planning, so as to improve the health and wellbeing of persons.

The Bill provides a framework to achieve this through prescribed objectives, which will be implemented by all parties through the establishment of an agreed work program. The work program will be developed through the framework established in the Bill, and supported by guidelines.

Clause 5 This clause captures the core objectives that will be collaboratively implemented through the Greater Hobart Act.

These are to apply a whole-of-area lens to:

- a) strategic planning decisions
- b) facilitating the efficient flow of transport
- c) management of existing, and planning and development of new, cultural, sporting, recreational and community facilities
- d) encouraging urban renewal and affordable housing, that enhances amenity liveability and links to passenger transport systems

- e) encouraging the development of hubs and precincts such as for science, sport, recreation, social activity, economic activity, industry, education and the arts
- f) integration of the above objectives to provide for co-location, and with transport and service infrastructure.

There is also capacity to prescribe other objectives if required.

Part 2 – Administration

Clause 6 Governance arrangements are proposed through the Bill to ensure implementation of the objectives is well planned and executed.

This clause establishes the Greater Hobart Committee. The proposed membership is identified in the Bill.

The Committee will be Chaired by the Minister responsible for economic development. Under the current portfolio arrangements, this will be the Minister for State Growth.

Clause 7 This clause establishes the Greater Hobart Advisory Group. The proposed membership is identified in the Bill.

The Group will be Chaired by the Secretary of the Department of State Growth.

Part 3 – Work Program

This part requires the development of a work program to identify actions to implement the prescribed objectives. The work program is required through the Bill, however, it will sit outside of the legislation.

Clause 8 This clause provides some context for the core requirements of the work program.

- 1) The work program is to identify actions to further the objectives prescribed in clause 5 and the party that is responsible for the implementation of each action.
- 2) This may include actions to support improved coordination around decisions with regard to infrastructure, strategic planning and land use.
- 3) The work program, as a minimum, will include a map identifying existing transport corridors and activity centres:

- The key **activity centres** will be identified through a whole of region lens. The requirement to identify activity centres as part of the work program has been specified to support integration and avoid duplication in future planning and uses.
 - The identification of **key transit corridors** as part of the development of the work program will ensure that the planning that is undertaken considers accessibility, the linkages between activity centres and supports integrated planning.
- 4) Regulations will be developed to guide the specific content of work programs. This work is underway.
 - 5) The work program will not be limited to the transport corridors and activity centres identified in subclause 3. Expansions and modifications of these may be proposed through the work program.
 - 6) Each action is to have a responsible person(s) and/or entity(s) identified to ensure the action is carried out.
 - 7) The work program needs to be developed with regard to the existing mechanisms in place. The Bill specifically references the objectives of Schedule 1 of the *Land Use Planning and Approvals Act 1993*, the *State Policies and Projects Act 1993*, and the Southern Regional Land Use Strategy.

Clause 9 This clause commences the process to create the work program. The Greater Hobart Advisory Group is to prepare the draft work program as soon as practicable after the Bill comes into effect. Once prepared, the work program is to be referred to the Greater Hobart Committee.

Clause 10 The Greater Hobart Committee is to consider the draft work program and either approve as drafted, engage with the Advisory Group to make modifications before approving, or the Committee may resolve the work program is not in a suitable form and not support the draft presented to it.

Through this process, for the Committee to approve the work program, amended or otherwise, agreement is required from the majority of members. The Bill specifies that this must include at least three of the four council members.

If approved, at this point the work program comes into effect and a copy is to be provided to the four councils as soon as practicable.

Clause 11 The work program is to be reviewed on at least a three yearly basis. This is the prescribed minimum frequency of review. The Advisory Group and/or Committee may resolve to make amendments to the work program within that period.

The review is to consider the status of identified actions, the extent to which they have been implemented and determine if other actions are required.

To ensure the timely management of the work program, a period of six months is provided for the Advisory Committee to provide the Committee with a report on the review. However, the Chairperson of the Committee may extend this period if required.

The Chairperson is required to notify other members of the Committee if he/she approves an extension beyond the prescribed time.

Clause 12 This clause provides for an amendment to, or revocation of, an existing work program. The same approval process applies as outlined in clause 10.

Clause 13 This clause requires all parties – Greater Hobart councils, State Government and any adjunct council brought into the process through clause 15 – to take reasonable steps to implement the work program.

Subclause 3 clarifies that the inclusion of an item in a work program does not preclude it from going through the normal planning processes to be assessed and, where appropriate, approved.

Clause 14 This clause provides a process where the Committee can request an amendment to the Southern Regional Land Use Strategy if it is of the view that an update is required to support the implementation of actions in the approved work program. Through this clause, the Committee is to write to the Minister for Planning seeking his/her consideration of whether amendments are required.

The Minister for Planning is to then advise the extent to which he/she does or does not intend to amend the Strategy and the reason(s) for this.

This advice is to be referred to the Committee for its consideration to enable it to determine whether the work program requires subsequent amendment, informed by the advice received from the Minister for Planning.

Part 4 – Adjunct Councils

Clause 15 This clause provides a mechanism for other councils in the southern region to contribute to the implementation of a work program, by invitation from the Committee, subject to that council accepting the invitation.

This also enables, at the agreement of the adjunct council, actions to be allocated to that council as part of the work program in relation to the adjunct council's municipal area.

Part 5 – Miscellaneous

Clause 16 This clause provides for the making of regulations. Work is underway to develop regulations to support the operations of the Greater Hobart Committee and Advisory Group, and to support the development of a work program.

Clause 17 This clause clarifies the responsible Minister is the Minister for State Growth, unless otherwise determined by an order through the *Administrative Arrangements Act 1990*.

It also clarifies that the Department of State Growth is responsible for the administration of the Act.