

## Explaining the new consultation and approval process for social housing and school infrastructure projects under the *Nation Building and Jobs Plan Facilitation (Tasmania) Act 2009*

### Background

On 3 February 2009, the Prime Minister of Australia announced the \$42 billion *Nation Building – Economic Stimulus Plan* (ESP) designed to create jobs and boost economic growth in the face of the global financial crisis. The plan is unprecedented in size and urgency, and is an opportunity for Australian states to access significant funds to strengthen their economies and help protect them from the effects of the recession.

\$21 billion of this funding has been set aside for social housing and school infrastructure under the *National Partnership Agreement on the Nation Building and Jobs Plan: Building Prosperity for the Future* ('the NPA'). However, in order for states to receive their share of NPA funding, they must meet the very tight deadlines for construction to start and finish.

The Tasmanian Government has taken steps to ensure the timeframes under the NPA are met and the State receives its share funding (up to \$500 million). These include the introduction of the *Nation Building and Jobs Plan Facilitation (Tasmania) Act 2009* ('the Act') to ensure faster planning approvals for NPA projects.

Essentially, the Act exempts NPA projects from the planning approval process under the *Land Use Planning and Approvals Act 1993* (LUPAA) and provides an alternative, more streamlined planning process. Other relevant approvals legislation (e.g., *Building Act 2000*, *Historic Cultural Heritage Act 1995*, *Aboriginal Relics Act 1975* etc), however, still applies.

The Act does not ignore the principles of the existing planning system. It provides a process for ensuring good planning principles and community views are considered by proponents when finalising their project plans.

The process under the Act is explained below.

### 1. Declaration

- Treasurer declares projects to be 'NPA projects' for the purposes of the Act, by notice in the *Government Gazette*.  
This clearly identifies which projects are, for planning approval purposes, exempt from LUPAA and will instead be subject to the *Nation Building and Jobs Plan Facilitation (Tasmania) Act 2009*.
- Treasurer notifies relevant councils and advises them of the period during which they may make written representations about each project.
- Proponent issues a public notice in the local newspaper providing key details of each project declared and the public consultation process.
- The proponent also notifies the Director of the Environment Protection Authority (EPA) and, where relevant, Heritage Tasmania and Aboriginal Heritage Tasmania.

Project information for social housing projects will be exhibited at a central location, to be specified in the public notice. For most school infrastructure projects this information will be exhibited on-site at respective schools. However, the project information for some school projects will be exhibited at a more central location, to be specified in the notice.

### 2. Consultation and written representations

- Councils, the EPA Director and any other organisation or person may make written representations to the proponent about a project.
- In finalising the project design, the proponent may modify the project to take into account the issues raised in representations and any other relevant planning matters (e.g., the relevant planning scheme, heritage and environmental issues, traffic flow, the interests of nearby businesses etc.).
- However, the proponent may not change the site or scale of the project, or substantially alter the use and development of the project, as previously declared.

### 3. Certification

- Proponent submits final plans and project information to the Project Authority (Secretary of Department of Education for school projects; Director of Housing for social housing projects).
- Project Authority assesses whether the proponent has followed the process required under the Act and, if satisfied this is the case, may then certify the project.
- Certification becomes a planning permit and construction may commence in accordance with the certification. LUPAA applies to the use and development from this point forward.
- Project Authority issues a notification of certification in the *Government Gazette*, to the Director of the EPA (where relevant) and to councils.

For more information about the process or particular projects please contact the relevant project proponent:

<b>Social housing projects</b>	Department of Health and Human Services Ms Bernadette Jago – Ph: (03) 6233 9423
<b>Government school projects:</b>	Department of Education Andrew Finch – Ph: (03) 6233 7096
<b>Non-government school projects:</b>	Tasmanian Catholic School Block Grant Authority Ph: (03) 6210 8888 Independent Schools Block Grant Authority of Tasmania Ph: (03) 6224 0125