



The Resource Management and Planning System

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This factsheet explains the Resource Management and Planning System (**RMPS**), specifically discussing two key aspects of the legislation:

- the requirement for government officers to further the listed sustainable development objectives when making decisions
- the community rights of appeal to the Resource Management and Planning Appeal Tribunal

Introduction

The Resource Management and Planning System (**RMPS**) aims to achieve integration and consistency in planning, environmental, heritage, infrastructure and local government decision-making by applying sustainable development objectives across a suite of legislation.

RMPS objectives

All the legislation which makes up the RMPS share a common set of objectives.

- (a) promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;
- (b) provide for the fair, orderly and sustainable use and development of air, land and water;
- (c) encourage public involvement in resource management and planning;
- (d) facilitate economic development in accordance with the objectives set out in paragraphs (a), (b), and (c); and
- (e) promote the sharing of responsibility for resource management and planning between the different spheres of government, the community and industry in the State.

Sustainable development means “managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while:

- sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations;
- safeguarding the life-supporting capacity of air, water, soil and ecosystems; and
- avoiding, remedying or mitigating any adverse effects of activities on the environment.”

Key RMPS legislation

This section briefly outlines the key features of the legislation that falls within the RMPS:

[Land Use Planning and Approvals Act 1993](#) (LUPAA)

- Making and amending Planning Schemes, Regional Land Use Strategies and Local Provisions Schedules (see below)
- Making and amending the Tasmanian Planning Policies
- Assessment and regulation of land use and development proposals
- Assessment and management of Projects of Regional Significance
- Range of enforcement tools for councils to deal with unlawful development

[Environmental Management and Pollution Control Act 1994](#) (EMPCA)

- Assessment and management of Level 2 activities (that is, developments likely to have significant environmental impacts)
- Environmental licences for salmon farming operations
- Making Environment Protection Policies
- Establishes a general duty to minimise harm to the environment
- Management of contaminated sites
- Range of management and enforcement tools for activities causing environmental harm

Read: [EDO Factsheet on Environmental Controls](#) for more information on Level 2 activities

State Policies and Projects Act 1993

- Making and amending State Policies (see below)
- Assessment and management of Projects of State Significance
- Preparing Tasmanian State of Environment Report every 5 years (though the [most recent SoE Report](#) was published in 2009)

Tasmanian Planning Commission Act 1997

- Establishes the Tasmanian Planning Commission (**TPC**), responsible for assessing interim planning schemes, Local Provisions Schedules, State Policies, the Tasmanian Planning Policies, Projects of State Significance, management plans, water management plans, and other planning documents

Resource Management and Planning Appeal Tribunal Act 1993

- Establishes the Resource Management and Planning Appeal Tribunal (**RMPAT**), an independent tribunal to hear appeals against decisions made under RMPS legislation and to consider civil enforcement applications

Major Infrastructure Development Approvals Act 1999 (MIDA)

- Assessment and management of large infrastructure developments, such as power transmission lines

Read: [EDO Factsheet on Development Controls](#) for more information on the assessment process

Historic Cultural Heritage Act 1995

- Establishes a register of places of historical cultural heritage significance to Tasmania (note, places of local heritage significance only are listed under planning schemes (see below))
- Nomination and assessment of places to be entered on or removed from the register
- Assessment of proposed works which will affect listed places
- Range of enforcement and management tools to protect heritage places

Living Marine Resources Management Act 1995

- Fisheries planning, research, and regulation – including declared fishing areas, open seasons, and quotas
- Assessment and management of marine reserves
- Assessment and management of aquaculture licensing (in combination with the *Marine Farming Planning Act 1995* and EMPCA)

Marine Farming Planning Act 1995

- Assessment and management of marine farming (in combination with the *Living Marine Resources Management Act 1995* and the EMPCA)
- Establishes Marine Farm Planning Review Panel to assess new and amended marine farm development plans

Threatened Species Protection Act 1995

- Development of Tasmanian Threatened Species Strategy
- Maintaining lists of threatened flora and fauna and critical habitat
- Development of recovery plans, threat abatement plans, and land management plans
- Assessing activities that involve “taking” (harming) listed threatened species

Water Management Act 1999

- Making and amending water management plans
- Issuing water licences
- Assessing and managing proposed dams, wells, bores etc

Nature Conservation Act 2002

- Declaration, revocation and extension of national parks and reserves
- Regulation of taking and trading in native wildlife
- Maintaining list of threatened native vegetation communities that are to be protected under the forest practices system

National Parks and Reserves Management Act 2002

- Making and amending management plans for parks and reserves
- Regulating use and development in reserved areas
- Issuing leases and licences for business activities within parks and reserves

Other Legislation

Other laws that relate to the environment, or affect the operation of the RMPS despite falling outside the system, include:

- *Crown Lands Act 1976*
- *Crown Lands (Shack Sites) Act 1997*
- *Forest Practices Act 1985*
- *Forest Management Act 2013*
- *Gas Act 2000*
- *Gas Pipelines Act 2002*
- *Inland Fisheries Act 1995*
- *Local Government Act 1993*
- *Mineral Resources Development Act 1995*
- *Primary Industry Activities Protection Act 1995*
- *Public Land (Administration & Forests) Act 1991*
- *Regional Forest Agreement (Land Classification) Act 1998*
- *Strata Titles Act 1998*
- *Water and Sewerage Industry Act 2008*
- *Weed Management Act 1999*