



Our Ref:

12 June 2014

To the General Manager

Dear Sir / Madam,

Changes to Tribunal Procedure

I write to request your assistance in ensuring that certain information concerning decisions of planning authorities is available to the Tribunal as part of its preliminary inquiries.

The Tribunal ordinarily contacts a planning authority once it has received an appeal to obtain certain information to assist it in processing that appeal.

As you are no doubt aware, a right of appeal under the *Land Use Planning & Approvals Act 1993* (the Act), against a decision of a planning authority with respect to a development application decision, runs from the date of notification of the Council's decision. The Tribunal has ruled in previous cases (*N Newstead v Hobart City Council* [2006] TASRMPAT 131) that the date of notification is effected upon posting.

The Tribunal therefore needs information from Council to confirm the date upon which it posted notification of a decision made under the Act with respect to a permit.

I would be grateful if you would ensure that arrangements are made within the planning division of your office to enable that information to be collected and that it is readily accessible when the Tribunal contacts a planning authority for preliminary information. This allows the Tribunal to be satisfied that a valid appeal has been filed with respect to timeframes and may reduce considerable time and effort to all parties involved, including the planning authority.

I thank you in anticipation of your assistance.

Yours faithfully

Jarrod Bryan

BA/LLB, Grad Cert in Legal Practice, MEnvPlg

Registrar

Resource Management and Planning Appeal Tribunal