

Second Reading Speech

**THE HON KERRY VINCENT, MLC
MINISTER FOR HOUSING AND PLANNING**

Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026

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Honourable Speaker, I move that the Bill now be read a second time.

The Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026 proposes a variety of minor amendments to the *Land Use Planning and Approvals Act 1993* and the *Local Government (Building and Miscellaneous Provisions) Act 1993* to clarify provisions or improve processes delivered through those Acts.

This government remains committed to continual improvement of our planning system. We have listened to local government and other users of the system who have helped us to identify where changes need to occur and where our efforts need to be focussed.

This Bill allows the State Planning Provisions (or SPPs) in the Tasmanian Planning Scheme to include maps to spatially apply the requirements in the SPPs. This will support the efficient

introduction of updated statewide mapping into the Tasmanian Planning Scheme, such as the updated landslip hazard area mapping recently prepared by Mineral Resources Tasmania. Implementation of the updated mapping through a single amendment to the SPPs, instead of 29 individual Local Provisions Schedule amendments, will provide significant savings.

Simple efficiencies, like the one we are proposing, streamline the review and assessment process and avoids repetition.

The Bill also broadens the scope for making interim SPP amendments. This provides more options for giving immediate effect to SPP amendments to urgently address issues in the Tasmanian Planning Scheme. The proposed change allows the Tasmanian Planning Commission to make a recommendation to the Minister that a matter should be dealt with as an interim SPP amendment. The Minister is still required to be satisfied that it is in the public interest to give effect to the amendment as soon as practicable. This provides a safety net to deal with emerging planning issues in a timely manner and is consistent with the scope for making interim planning directives under the former provisions of the Act.

Honourable Speaker, this Bill also builds on the significant planning reform that this government has undertaken in recent years. With the making of the Tasmanian Planning Policies (or

the TPPs) and the comprehensive reviews of the regional land use strategies coming online, this Bill supports a smooth transition for these planning instruments.

The inclusion of savings provisions for the TPPs and the newly declared regional land use strategies will provide a clearer and fairer process for developers, planners and the community to understand when they are to be applied, which is especially relevant to Local Provisions Schedule amendments that are part way through an assessment process.

Honourable Speaker, these proposed savings provisions mean that a Local Provisions Schedule amendment is not impacted by the TPPs or a newly declared regional land use strategy coming into effect if the amendment has already been certified by the council as meeting the requirements under the Act. This provides for a much fairer process for implementing the planning reforms.

The Bill provides clearer criteria for applying the TPPs in Local Provisions Schedule amendments by simply requiring there be consistency with the TPPs.

The Bill also clarifies the statutory assessment timeframe for development applications following an additional information request made by the council. The assessment timeframe stops after a council requests additional information from the applicant and does not recommence until the request has been satisfied.

Currently, the council is only required to notify the applicant if it is not satisfied that the additional information request has been met and the assessment timeframe remains paused. The changes include an equivalent requirement for the council to notify the applicant once it is satisfied with the additional information and to advise that the assessment timeframe has recommenced.

The purpose of this amendment is to provide greater certainty for all parties on the statutory assessment timeframes for development applications.

The Bill also clarifies provisions for discretionary development application assessment timeframes when council offices are closed, such as during the Christmas and New Year period. Currently, the public exhibition period for discretionary development applications is extended by the number of days that councils offices are closed during normal business hours. The changes apply the same extension to the overall assessment timeframe, making it fairer for councils to process discretionary development applications.

Honourable Speaker, the last part of the Bill proposes to amend the definition of 'subdivide' in the *Local Government (Building and Miscellaneous Provisions) Act 1993*. Currently the definition means that a lease of land exceeding, or capable of exceeding, 10 years is taken to be a subdivision and must be assessed

accordingly. This can have unintended consequences for land being leased for a variety of utility infrastructure and facilities, such as renewable energy, telecommunications infrastructure. The Bill excludes leases for these types of purposes from being considered a subdivision. This is consistent with recent changes made in other Australian states.

Honourable Speaker, this Bill does not significantly alter the existing policy settings of the provisions being amended, rather it makes minor adjustments to either clarify provisions or make processes fairer, more certain and more efficient.

Honourable Speaker, I commend the Bill to the House.