

TASMANIA

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**HOUSING LAND SUPPLY (MISCELLANEOUS  
AMENDMENTS) BILL 2026**

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# **HOUSING LAND SUPPLY (MISCELLANEOUS AMENDMENTS) BILL 2026**

*(Brought in by the Minister for Business, Industry and  
Resources, the Honourable Felix Ashton Ellis)*

## **A BILL FOR**

**An Act to amend the *Housing Land Supply Act 2018* and  
the *Community Housing Providers National Law  
(Tasmania) Act 2013***

Be it enacted by Her Excellency the Governor of Tasmania, by  
and with the advice and consent of the Legislative Council and  
House of Assembly, in Parliament assembled, as follows:

## **PART 1 – PRELIMINARY**

### **1. Short title**

This Act may be cited as the *Housing Land  
Supply (Miscellaneous Amendments) Act 2026*.

### **2. Commencement**

This Act commences on the day on which this  
Act receives the Royal Assent.

### **3. Repeal of Act**

This Act is repealed on the first anniversary of  
the day on which it commenced.

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Amended

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**PART 2 – COMMUNITY HOUSING PROVIDERS  
NATIONAL LAW (TASMANIA) ACT 2013 AMENDED**

**4. Principal Act**

In this Part, the *Community Housing Providers National Law (Tasmania) Act 2013\** is referred to as the Principal Act.

**5. Section 9 amended (Relevant Minister)**

Section 9 of the Principal Act is amended by omitting “*Homes Act 1935*” and substituting “*Homes Tasmania Act 2022*”.

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\*No. 21 of 2013

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**PART 3 – HOUSING LAND SUPPLY ACT 2018  
AMENDED**

**6. Principal Act**

In this Part, the *Housing Land Supply Act 2018*\* is referred to as the Principal Act.

**7. Section 4 amended (Housing land supply orders)**

Section 4 of the Principal Act is amended by omitting subsection (5) and substituting the following subsections:

- (5) Section 47(3), (3A), (4), (5), (6) and (7) of the *Acts Interpretation Act 1931* apply to an order under subsection (1) as if the order were regulations within the meaning of that Act.
- (5A) Notification of a housing land supply order in accordance with subsection (4) is taken to be publication of the order for the purposes of section 47(3)(a) of the *Acts Interpretation Act 1931*.
- (5B) A housing land supply order is not a statutory rule for the purposes of the *Rules Publication Act 1953*.

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\*No. 8 of 2018

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**8. Section 6 amended (Inclusion of intended zones in housing land supply orders)**

Section 6(2)(ab) of the Principal Act is amended by omitting subparagraph (i).

**9. Section 7 amended (Modifications of planning requirements that may be specified in housing land supply order)**

Section 7 of the Principal Act is amended by inserting after subsection (2) the following subsection:

(3) In addition to or in substitution of a provision specified in subsection (2), a housing land supply order may include, for the purposes of section 4(3), one or more of the following in relation to an area of land, or a part of an area of land, that is specified in the housing land supply order to be housing supply land:

(a) a draft of a site-specific qualification that is to –

(i) be included in the applicable planning scheme; or

(ii) modify an existing provision of the applicable planning scheme;

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(b) a draft of a specific area plan that is to –

(i) be included in the applicable planning scheme; or

(ii) modify an existing provision of the applicable planning scheme.

**10. Section 8 amended (Amendment of housing land supply orders)**

Section 8 of the Principal Act is amended by omitting subsection (6) and substituting the following subsections:

(6) Section 47(3), (3A), (4), (5), (6) and (7) of the *Acts Interpretation Act 1931* apply to an order under subsection (1) as if the order were regulations within the meaning of that Act.

(7) Notification of an order, under subsection (1), in accordance with subsection (5) is taken to be publication of the order for the purposes of section 47(3)(a) of the *Acts Interpretation Act 1931*.

(8) An order under subsection (1) is not a statutory rule for the purposes of the *Rules Publication Act 1953*.

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**11. Part 2, Division 2: Heading amended**

Division 2 of Part 2 of the Principal Act is amended by omitting “*Consultation and parliamentary scrutiny in respect of proposed orders*” from the heading to that Division and substituting “*Consultation in respect of proposed orders*”.

**12. Section 9 repealed**

Section 9 of the Principal Act is repealed.

**13. Section 10 amended (Consultation to occur before housing land supply orders put before Parliament)**

Section 10 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “laying before both Houses of Parliament in accordance with section 9 the proposed order in the form of the order to be made under section 4(1) or section 8(1)” and substituting “making the order”;
- (b) by omitting subsection (2) and substituting the following subsection:
  - (2) The Minister must not make an order under section 4(1) or section 8(1) if –
    - (a) before making the order, the Minister wishes to alter the order from the

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proposed order that was publicly exhibited in accordance with section 12; and

- (b) the alteration of the order significantly changes either the character or effect of the proposed order; and
- (c) the order so altered was not publicly exhibited in accordance with section 12.

**14. Section 13A substituted**

Section 13A of the Principal Act is repealed and the following sections are substituted:

**13A. Notice to be given of decision not to proceed with proposed order**

If, after complying with the requirements of section 10 in relation to a proposed order in relation to an area of land, the Minister decides not to make the order under this Act, the Minister must ensure that –

- (a) as soon as practicable after the decision is made, a notice specifying each of the following matters is to be published in the *Gazette*:

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- (i) the decision and the reasons for the decision;
  - (ii) the proposed order to which the decision relates; and
- (b) a copy of the notice referred to in paragraph (a) in respect of the decision is –
  - (i) tabled in each House of Parliament; and
  - (ii) given to each interested person, and each person who made a submission under section 13(1), in relation to the area of land; and
- (c) the following information is made available for viewing by members of the public, on a website operated by or on behalf of the Department, for a period of at least 6 months after the decision was made in respect of the proposed order:
  - (i) a copy of the notice referred to in paragraph (a) in respect of the decision;
  - (ii) each submission made under section 13(1) in

relation to the proposed order and the Minister's response in relation to each of the submissions.

**13B. Notice to be given if certain orders are made**

- (1) If, after complying with the requirements of section 10 in relation to a proposed order, the Minister makes the order under section 4(1) or section 8(1), the Minister must ensure that a notice is published, on the website operated by or on behalf of the Department, that –
  - (a) specifies the reasons why the Minister made the order; and
  - (b) specifies the grounds on which the Minister is satisfied that the order does not contravene section 5(2) or section 6(1) or (2), if relevant; and
  - (c) includes a copy of –
    - (i) each submission made under section 13(1) in relation to the order; and
    - (ii) the Minister's response in respect of each such submission; and
  - (d) if the order was altered between consultation under section 10(2), includes a statement as to –

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- (i) how, and why, the order was altered; and
  - (ii) whether the order so altered was publicly exhibited in accordance with section 12.
- (2) The information published, on a website as required under subsection (1), in respect of a housing land supply order is to remain available for viewing by members of the public for a period of at least 6 months after the order was made.

**15. Section 14 amended (Revocation of housing land supply order)**

Section 14 of the Principal Act is amended by omitting subsection (5) and substituting the following subsection:

- (5) An order under subsection (1) is not a statutory rule for the purposes of the *Rules Publication Act 1953*.

**16. Section 15 substituted**

Section 15 of the Principal Act is repealed and the following section is substituted:

**15. Notice to be given that land has ceased to be housing supply land**

- (1) As soon as practicable after making an order under section 14(1), the Minister is

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to ensure that a notice is made available for viewing by members of the public, on a website operated by or on behalf of the Department, that –

(a) specifies –

(i) that an area of land to which the order relates is to cease, or has ceased, to be housing supply land; and

(ii) the day on which the area of land is to cease, or has ceased, to be housing supply land; and

(iii) the reasons why the Minister has made the order; and

(iv) the grounds, under section 14(2), on which the order was made; and

(b) includes a copy of the order made under section 14(1); and

(c) contains such other information in relation to the order as the Minister thinks fit.

(2) A notice under subsection (1) in respect of an order under section 14(1) is to remain available for viewing by members of the public, in accordance with that

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subsection, for at least 6 months after the order takes effect.

**17. Section 18A inserted**

Before section 19 of the Principal Act, the following section is inserted in Part 4:

**18A. Effect of Part**

For the purposes of this Act, if a housing land supply order includes, or requires, an alteration or amendment under this Part, that alteration or amendment is taken to have effect from the day on which the relevant housing land supply order takes effect.

**18. Section 19 amended (Alteration of zoning of housing supply land)**

Section 19 of the Principal Act is amended by omitting subsection (1) and substituting the following subsection:

- (1) As soon as practicable after a housing land supply order is made that specifies an intended zone in relation to an area of land or part of an area of land to which the order relates, the Minister, by notice in writing to the Commission, is to direct the Commission to amend the zoning map in relation to the area of land or the part.

**19. Section 20 amended (Alteration of planning provisions in relation to housing supply land)**

Section 20 of the Principal Act is amended by omitting subsection (1) and substituting the following subsection:

- (1) As soon as practicable after a housing land supply order is made that requires an amendment to a planning scheme, the Minister is to direct the Commission to amend the applicable planning scheme in relation to the area of land or part, respectively.

**20. Section 21 amended (Directions to amend planning scheme where land ceases to be housing supply land)**

Section 21(1) of the Principal Act is amended by omitting “to the area of land” and substituting “to the area of land if the relevant housing land supply order required an amendment to that planning scheme”.

**21. Section 23 amended (Taking effect of, and notice of, amendment of planning scheme)**

Section 23 of the Principal Act is amended as follows:

- (a) by omitting paragraphs (a) and (b) from subsection (2) and substituting the following paragraphs:

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(a) is to give notice of the amendment to –

(i) the interested persons, for the purposes of section 11, in relation to the land; and

(ii) each person who made a submission under section 13(1) in relation to the area of land; and

(b) is to publish in a newspaper that is published, and circulates generally, in Tasmania a notice –

(i) that the amendment has been made; and

(ii) specifying the day on which the amendment took effect.

(b) by omitting subsection (3).

**22. Section 25A inserted**

After section 25 of the Principal Act, the following section is inserted in Part 4:

**25A. Amendments to applicable planning scheme void in certain circumstances**

(1) If a planning scheme is amended under section 19, section 20, section 21 or section 22 as a result of an order made

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under this Act, the amendments are taken to be void if –

- (a) the order is required to be tabled in each House of Parliament in accordance with section 47 of the *Acts Interpretation Act 1931*; and
  - (b) the order is void under section 47(3A) of that Act or disallowed under section 47(4) of that Act.
- (2) If amendments to a planning scheme are taken to be void under subsection (1) –
- (a) as soon as practicable after the Minister becomes aware that the relevant order is void or disallowed under section 47 of the *Acts Interpretation Act 1931*, the Minister is to notify –
    - (i) the Commission; and
    - (ii) each interested person, for the purposes of section 11, in relation to the land to which the order relates; and
    - (iii) each person who made a submission under section 13(1) in relation to the order; and

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- (b) the Commission is to revoke the amendments to the planning scheme; and
- (c) the revocation of those amendments does not affect the validity of any action taken in accordance with the planning scheme so amended.

**23. Section 30 inserted**

After section 29 of the Principal Act, the following section is inserted in Part 5:

**30. Transitional provision on commencement of *Housing Land Supply (Miscellaneous Amendments) Act 2026***

This Act, as in force immediately before the commencement of the *Housing Land Supply (Miscellaneous Amendments) Act 2026*, applies to a proposed order if notice of the proposed order has been given under section 12(1) of this Act before the commencement of the *Housing Land Supply (Miscellaneous Amendments) Act 2026*.