HOUSING LAND SUPPLY (MISCELLANEOUS AMENDMENTS) BILL 2026

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

LAURA ROSS, *Clerk of the House*
18 August 2026

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

A BILL FOR

Amendments: clauses 7(2), 10(2), 11, 12, 13, 14 & 22 New clause X & New clause Y

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:

The Legislative Council has this day Agreed to this Bill with Amendments

Clerk of the Council
28.10.2026

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.

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*.

*No. 8 of 2018

CLAUSE 7

First amendment

Page 6, proposed new subsection (5).

Leave out that subsection.

Second amendment

Same page, proposed new subsection (5A).

Leave out that subsection.

(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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CLAUSE 10

First amendment

Page 8, proposed new subsection (6).

Leave out that subsection.

Second amendment

Same page, proposed new subsection (7).

Leave out that subsection.

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

CLAUSE 11

page 9 Leave out the clause.

CLAUSE 12

page 9 Leave out the clause.

CLAUSE 13

page 9 Leave out the clause.

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*:

CLAUSE 14

page 10

Leave out the clause.

(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

CLAUSE 22

page 17

Leave out the clause.

NEW CLAUSE X

To follow clause 11.

X. Section 9 amended (Parliament may disallow proposed housing land supply orders and amendments)

Section 9 of the Principal Act is amended as follows:

(a) by omitting from subsection (1)(b) "not been disallowed by a" and substituting "been approved by each";

(b) by omitting subsection (4) and substituting the following subsection:

(4) If a proposed order has been laid before a House of Parliament under subsection (2), the House is taken to approve the proposed order if –

(c) the House passes a motion approving the proposed order; or

(d) within 5 sitting-days after the order has been so laid before the House, the House has not disallowed the proposed order.

NEW CLAUSE Y

To follow clause 13.

Y. Section 13B inserted

After section 13A of the Principal Act, the following section is inserted into Division 2 of Part 2:

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 –

(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.