



Consultation Report

Housing Land Supply (Miscellaneous Amendments) Bill 2026

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Table of Contents

| | | |
|-----|---|---|
| 1.0 | Introduction..... | 4 |
| 2.0 | Housing Land Supply (Miscellaneous Amendments) Bill 2026..... | 4 |
| 3.0 | Consultation..... | 5 |
| 4.0 | Themes and issues raised in submissions..... | 6 |
| 5.0 | Conclusion..... | 9 |

1.0 Introduction

The *Housing Land Supply Act 2018* (the HLS Act) enables the Minister for Planning to make a housing land supply order that rezones eligible government land identified by Homes Tasmania as suitable for housing. Requests by Homes Tasmania for the making of a housing land supply order are subject to the same planning assessment criteria that apply to the “standard” rezoning process under the *Land Use Planning and Approvals Act 1993*.

Additional criteria considered by the Minister when making a housing land supply order ensure the nominated land is suitable for the delivery of housing, having regard to its proximity to services, employment opportunities and public transport.

As of 22 April 2026, 17 housing land supply orders have been made under the HLS Act.

2.0 Housing Land Supply (Miscellaneous Amendments) Bill 2026

On 1 December 2025, the Minister for Housing and Planning approved public exhibition of the Housing Land Supply (Miscellaneous Amendments) Bill 2026.

The Bill aims to streamline the processes involved in the making of and giving effect to housing land supply orders, enabling suitable government land to be rezoned for housing quicker. It also includes a minor administrative amendment that clarifies the Relevant Minister under the *Community Housing Providers National Law (Tasmania) Act 2013*.

A key feature of the Bill is a proposed change to the arrangements for tabling a housing land supply order in Parliament.

The HLS Act requires a proposed housing land supply order to be tabled in Parliament after the public consultation period ends, and before it can be made by the Minister. Once tabled, the order may be disallowed by either House of Parliament.

This potentially delays the making of an order for several months when Parliament is in recess, defeating the intention of the HLS Act to accelerate the rezoning of eligible government land for housing.

The Bill provides for the disallowance period to commence after an order has been made by the Minister - the same process that applies to all Regulations as specified in the *Acts Interpretation Act 1931*.

The Bill also provides for an order to be given effect once made by the Minister, and reduces the administrative burden on the Tasmanian Government by:

- a. enabling Orders to be drafted by the Department for the Minister instead of using the resources of the Office of Parliamentary Counsel,
- b. providing for fewer notifications in the *Gazette*, and
- c. reducing the exchange of notices between the Minister and the Tasmanian Planning Commission.

Finally, the Bill allows an Order to include a specific area plan or site-specific qualification as it would appear in the Tasmanian Planning Scheme. This will enhance the public's understanding of the planning process and be simpler for the Tasmanian Planning Commission to implement in giving effect to the Order.

3.0 Consultation

The Bill was exhibited for public comment from 19 January until 27 February 2026.

Thirteen (13) submissions were received. The Table below responds to key themes and issues arising from analysis of the submissions received.

4.0 Themes and issues raised in submissions

| Themes and Issues | Response |
|---|---|
| <p>1. Age-friendly expectations should be embedded in housing orders and any bespoke planning provisions.</p> | <p>The Bill does not prioritise the allocation of housing to specific population groups. The supply of eligible government land for housing aims to address the needs and circumstances of the wider community, whether they be elderly, families, young couples or individuals.</p> |
| <p>2. Process improvements that accelerate the supply of housing, including social and affordable housing, are supported, provided that opportunities for public input into the planning process are not reduced or compromised, particularly for people who are not digitally connected.</p> | <p>The Bill makes no changes to the existing public participatory provisions of the HLS Act. Hard copies of all public consultation materials are provided to councils and to Service Tasmania, to ensure that public involvement is not restricted to those that have access to digital resources. Numerous submissions endorsed the Bill's efficiency improvements.</p> |
| <p>3. The Bill further concentrates power in the Minister, undermines Parliamentary scrutiny, and should not proceed. The HLS Act should be scrapped owing to the State Government's conflict of interest as both proponent and assessor, and all rezoning decisions should be made by the Tasmanian Planning Commission.</p> | <p>The Bill does not dispense with Parliamentary oversight of housing land supply orders. It is noted that neither House of Parliament has ever moved to disallow an order proposed under the HLS Act.</p> <p>Nor does the Bill create or perpetuate a conflict of interest for the Government. Specific criteria applied to the assessment of proposed housing land supply orders exceed those for "standard" rezoning applications.</p> <p>In determining whether to make a housing land supply order, the Minister considers submissions received from members of the community, the local council, and State Government entities.</p> |

| Themes and Issues | Response |
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| 4. Bring local government land under the provisions of the HLS Act. | While this proposal may have merit, it requires further consideration by the entire local government sector and is outside the scope of the administrative reforms introduced in the Bill. |
| 5. The Bill supports leveraging government land to increase the supply of social and affordable housing, consistent with the findings of the 2025 <i>Independent Review of Homes Tasmania</i> . | Noted and agreed. |
| 6. Streamline the process for amending existing housing land supply orders. | Only one of the 17 housing land supply orders made to date has been proposed for amendment. In these circumstances, the scope of the proposed changes are such that the full process should be followed as in the making of a new order. Further changes relating to the amendments are not considered a priority action at this time. |
| 7. Clarify the eligibility of alternate Zones, such as the Central Business Zone, to be applied to land the subject of housing land supply orders; and enable subdivision approvals to occur at the same time as rezoning. | <p>The HLS Act provides for a variety of zones to be applied to eligible land provided they are for the purposes of housing and can meet the various requirements in sections 4, 5 and 6 of the Act. Alternate zones could be considered where it meets these specific requirements, including being consistent with the relevant regional land use strategy and the Tasmanian Planning Policies.</p> <p>The HLS Act only relates to the rezoning of land and the alteration of planning provisions that may apply to the land. Careful consideration was given to the inclusion of subdivision approvals when the Act was first introduced. The assessment of subdivision proposals is considered to be best managed through the normal process under the <i>Land Use Planning and Approvals Act 1993</i>.</p> |

| Themes and Issues | Response |
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| 8. Embed urban design performance standards within housing land supply orders, to avoid driving low-density housing expansion. | The making of a housing land supply order vests the land with Homes Tasmania for delivery in accordance with the <i>Homes Tasmania Act 2022</i> . Homes Tasmania has a Housing Design Policy, and in any case, the suitability of land for medium- or high-density residential development depends on many factors, including site characteristics. |
| 9. Integrate neighbourhood-based structure planning as a strategic foundation for the housing land supply pathway, particularly in areas with significant Homes Tasmania holdings. | This is a constructive suggestion that can be achieved through collaboration between Homes Tasmania and the relevant council during the preparation of proposed orders. This may be particularly relevant in addressing the requirements in the regional land use strategy and the Tasmanian Planning Policies as required by section 6(1)(a) of the HLS Act. It does not require any specific legislation change. |
| 10. Reinforce the consistency of proposed housing land supply orders with Regional Land Use Strategies and Tasmanian Planning Policies. | Section 6(1)(a) of the HLS Act already requires any proposed housing land supply order to demonstrate the consistency referred to. Reinforcement of this requirement is not required in the Bill. |
| 11. The Bill should be amended to enable the Minister to accept late submissions after the statutory 28-day consultation period. | While late submissions are not to be encouraged, they will normally be accepted within a reasonable timeframe, subject to advance notice being given of the circumstances that prevent a submission from being received before the consultation period ends. No legislative changes are considered necessary. |
| 12. A Ministerial guideline or practice direction may commit to early circulation to the Heritage Council of a draft housing land supply order affecting a Tasmanian Heritage Register place, at least 14 days before formal exhibition opens. | A commitment by Homes Tasmania to engage with the Heritage Council early in the pre-lodgement phase of preparing a housing land supply order request for land entered on the Tasmanian Heritage Register is considered sufficient. To date, none of the 17 made housing land supply orders have included a property listed on the Tasmanian Heritage Register. |

5.0 Conclusion

Several ideas or suggestions raised in submissions and not contemplated in the Bill would require a further round of public consultation. These can be explored with relevant stakeholders at a later date.

There is no intention to amend the Bill as a consequence of the submissions received.

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