

Minister for Housing and Planning
Amendment 04-2026 of the State Planning Provisions
Statement of Reasons

After considering the advice received under sections 30NA(2) and (4) of the *Land Use Planning and Approvals Act 1993* (LUPA Act), I have determined to make amendment 04-2026 of the State Planning Provisions (SPPs) as a minor amendment of the SPPs in accordance with section 30NA of the LUPA Act, in terms of draft amendment 04-2026 of the SPPs, as modified.

In accordance with section 30NA(7)(b) of the LUPA Act, my reasons for making amendment 04-2026 of the SPPs are based on accepting the advice of the Tasmanian Planning Commission (the Commission) that was provided to me by letter dated 10 August 2026, which considered that draft amendment 04-2026:

- At Part 1, satisfies section 30NA(1)(a)(ii) and (iii) of the LUPA Act on the basis that it removes an anomaly that would otherwise occur from 1 September 2026 when certificates of title will no longer exist. The public interest will not be prejudiced by approving the amendment as the revised terminology simply enables the continued identification of land parcels subject to an application; and
- At Part 2, satisfies section 30NA(1)(a)(iii) of the LUPA Act on the basis that it will provide clarity by removing a potential interpretation discrepancy between the SPPs and the Act. The public interest will not be prejudiced by approving the amendment as the revised terminology provides clarification and confirms the interpretation of the provisions that has generally been accepted;
- At Part 3, satisfies section 30NA(1)(a)(iii) of the LUPA Act on the basis that it will provide clarity by removing a potential interpretation discrepancy between the SPPs and the Act by clarifying that references to permits are not limited to permits issued under the Tasmanian Planning Scheme and extend equally to permits issued under former planning schemes. The public interest will not be prejudiced by approving the amendment as the revised terminology is consistent with the Act, which prevails over the SPPs to the extent of any inconsistency, and reinforces the way industry currently interprets the provision.

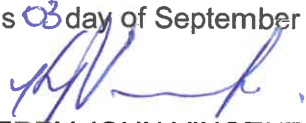
Based on submissions received during targeted consultation, I have accepted the advice of the State Planning Office to modify Part 1 of the draft amendment to provide additional clarification on the requirement for obtaining a current title search to be extracted from the Register of titles to land maintained by the Recorder of Titles under section 33 of the *Land Titles Act 1980*. The modification helps to clarify the provision consistent with section 30NA(1)(a)(iii) of the Act which will apply once land title reforms come into effect on 1 September 2026, thereby the public interest is not prejudiced by approving the amendment.

In accordance with section 30NA(6)(b) of the LUPA Act, I am satisfied that amendment 04-2026 of the SPPs meets the SPPs criteria at section 15(2) for the following reasons:

- the amendment only contains provisions that section 14 of the LUPA Act allows the SPPs to contain;
- it proposes minor amendments to the SPPs which have already been determined as meeting the SPP criteria, including furthering the Schedule 1 objectives of the LUPA Act, consistency with State Policies and having regard to the safety requirements under the *Gas Safety Act 2019*;

- there are no matters in the Tasmanian Planning Policies (TPPs) that are relevant to the amendment, and it is therefore deemed consistent with the TPPs;
- by satisfying the criteria for a minor amendment of the SPPs, the amendment does not affect compliance with the SPP criteria.

Dated this 03 day of September 2026



KERRY JOHN VINCENT MLC
Minister for Housing and Planning