Minister for Housing and Planning

Amendment 02-2026 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 02-2026 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 02-2026 of the SPPs, as modified.

In accordance with section 30NA(7)(b) of the LUPA Act, my reasons for making amendment 02-2026 of the SPPs are based on accepting the advice of the Tasmanian Planning Commission (the Commission) that was provided to me by letter dated 7 September 2026, which considered that draft amendment 02-2026:

i At Part 1, satisfy section 30NA(1)(a)(v) of the LUPA Act as it removes an inconsistency between the operation of the SPPs and the *Airports Act 1996* (Commonwealth). The public interest will not be prejudiced by the approval of the amendment as the provisions establish new (limited) exemptions for existing development and provide an additional agency that may provide its approval to satisfy the Acceptable Solution; and

ii At Part 2, satisfy section 30NA(1)(a)(v) of the LUPA Act as it removes an inconsistency between the SPPs and the *Airports Act 1996* (Commonwealth) and the *Airports (Protection of Airspace) Regulations 2026* (Commonwealth). The public interest will not be prejudiced by the approval of the amendment as the provisions establish new (limited) exemptions for existing development and provide an additional agency that may provide its approval to satisfy the Acceptable Solution.

In response to consultation under section 30NA(2) of the LUPA Act and advice from the State Planning Office, I have decided to make minor modifications, to Part 1 of the draft amendment, relating to clause C16.4.1 of the SPPs to clarify the exemption clauses only apply to development and refer consistently to an existing building. I am satisfied that the public interest will not be prejudiced by approval of the draft amendment with these minor drafting modifications.

In accordance with section 30NA(6)(b) of the LUPA Act, I am satisfied that amendment 02-2026 of the SPPs, as modified 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; and

- by satisfying the criteria for a minor amendment of the SPPs, the amendment does not affect compliance with the SPP criteria.

Dated this 29 day of September 2026

KERRY JOHN VINCENT MLC
Minister for Housing and Planning