

Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026 Submissions

Number	Name/Organisation
1	Sorell Council
2	Housing Industry Association
3	Northern Midlands Council
4	Flinders Council
5	TasWater
6	Glenorchy City Council
7	TasRex
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21	Australian Institute of Architects
22	Late submission - Property Council Australia

24 April 2026

State Planning Office
Department of State Growth
GPO Box 536
Hobart TAS 7001
haveyoursay@stateplanning.tas.gov.au

LAND USE PLANNING AND APPROVALS (MISCELLANEOUS AMENDMENTS) BILL 2026

Thank you for the opportunity to consider and comment on the *Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026*.

Council welcomes and supports the miscellaneous amendments proposed.

The amendments related to including maps in the State Planning Provisions (SPPs) and amendments to the LPS criteria represent logical improvements to the planning system delivering improved efficiencies.

Council also supports the ability for the Tasmanian Planning Commission to make recommendations to the Minister regarding interim SPP amendments.

The amendments regarding timeframes for additional information requests and for determining applications are particularly relevant and significant to Council. These changes will provide greater certainty to planning authorities and proponents and provide important additional timeframes due to public holiday closures.

The changes to the definition of subdivision are also welcome.

Finally, Council wishes to reiterate its view that a wholesale review of the *Land Use Planning and Approvals Act 1993* is needed.

Yours sincerely,

Robert Higgins
Chief Executive Officer



30 Burnett St
North Hobart TAS 7000
PO Box 346 North Hobart TAS 7002
03 6230 4600

27 April 2026

State Planning Office
Department of State Growth
By email: haveyoursay@stateplanning.tas.gov.au

Dear Mr McPhail

RE: Submission on the Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026

The Housing Industry Association (HIA) welcomes the opportunity to make a submission on the Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026 (the Bill).

HIA supports all provisions of the Bill. The proposed amendments are minor, technical and administrative in nature and are directed at improving clarity, consistency and efficiency in the operation of Tasmania's planning system. HIA considers these changes sensible and practical and supports their progression as part of ongoing system refinement.

HIA notes that the Bill includes a limited amendment to the *Local Government (Building and Miscellaneous Provisions) Act 1993* (LGBMP Act). While this amendment is supported, HIA emphasises that the Government has previously committed to abolishing the LGBMP Act in its entirety as part of broader planning and subdivision reform, to streamline the subdivision approvals process.

The continued operation of the LGBMP Act alongside the Tasmanian Planning Scheme perpetuates duplication, complexity and delay in subdivision approvals. HIA considers that repeal of the LGBMP Act, and consolidation of subdivision approvals solely under the planning scheme, is now overdue and would represent a genuine red-tape reduction measure to support housing supply.

HIA supports the Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026 in full and encourages the Government to progress the previously announced repeal of the *Local Government (Building and Miscellaneous Provisions) Act 1993* as a priority reform.

Yours sincerely

Benjamin Price
Executive Director
HOUSING INDUSTRY ASSOCIATION LTD

Ref: 13/011 - EM

30th April 2026

State Planning Office
GPO Box 536
HOBART TAS 7001
Via email only: haveyoursay@stateplanning.tas.gov.au

To whom it may concern

Re: Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026

Thank you for the opportunity to provide comment on the Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026. The consultation period from the 30th March to 11th May 2026 allowed Council to consider the matter at the 20th April 2026 Council meeting. The endorsed submission is attached.

Should you have any questions relating to this submission, please do not hesitate to contact me, either by email planning@nmc.tas.gov.au or by phone 6397 7303.

Yours Sincerely

Erin Miles
STRATEGIC PROJECTS OFFICER

Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026

Northern Midlands Council Submission

April 2026

- 1) allow the State Planning Provisions (SPPs) of the Tasmanian Planning Scheme (TPS) to include maps, such as statewide overlay maps;

The *Background Report for Consultation* notes that the inclusion of overlay maps in each Council's LPS when the TPS was first introduced was "intentional at the time as it was important to link the public consultation on the overlay maps with the zoning maps." It is unclear why this level of consultation—necessary for understanding the interaction and effect of overlay mapping—is no longer considered relevant. Clarification is required on whether Councils will have the ability to vary or update mapping brought in through the SPPs, or whether any such changes would require an amendment to the SPPs themselves. This issue is particularly significant for flood mapping, where Councils regularly undertake works that alter or improve flood extents, especially within urban areas, and commission internal flood studies that provide a higher level of detail than the SES mapping. Given these factors, it is important to understand whether the State will maintain a program for ongoing review, updating, and quality assurance of this mapping to ensure it remains accurate, current, and fit for purpose.

- 2) broaden the scope for making 'interim SPPs amendments' under section 30NB of the LUPA Act on advice from the Tasmanian Planning Commission (the Commission);

There is concern that opening up the scope of Interim SPP amendments to include "any other matter recommended by the Commission" does not provide the opportunity for adequate community consultation prior to the provisions being applied. In the absence of any examples of what this change might facilitate, it is unclear why it is required and why the current process cannot be followed.

- 3) clarify the Local Provisions Schedule (LPS) criteria in section 34 of the LUPA Act in relation to the application of the TPPs;

This change provides for a clearer understanding of the level of compliance to which the LPS must have with the TPPs and is supported.

- 4) include a fairer process for the assessment of draft LPSs and LPS amendments when a new or amended RLUS is declared;

The wording proposed for S34 (2) (e) could be further simplified from:

(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is ~~situated~~ the land to which the relevant planning instrument relates is situated, being the regional land use strategy in force at the relevant time; and

to

(e) as far as practicable, is consistent with the regional land use strategy in force at the relevant time, if any, for the regional area in which the land to which the relevant planning instrument relates, is situated; and

The remainder of the proposed amendments relating to compliance with the RLUS provide for improved interpretation of the Act and understanding of relevant requirements.

5) include a fairer process for the assessment of draft LPS amendments when the TPPs become effective on 1 July 2026;

The changes to reference the effective date of the Tasmanian Planning Policies provides clarity as to when they apply and is supported.

6) clarify the process and timeframes for councils to give notice to an applicant when a request for additional information on a development application has been satisfied and when the assessment 'clock' recommences;

The timing of the amendment bill and changes proposed to S54 of the Land Use Planning and Approvals Act 1993 does not adequately allow for consideration of the feedback to the "Preventing delays in development assessment timeframes Position Paper" that is simultaneously out for consultation and also deals with this issue. It is unclear where the confusion around the 'stop clock' recommencing comes from, as the clock should recommence on the day the information was supplied, unless advised otherwise that the information supplied was unsatisfactory. For discretionary applications, the applicant will likely be advised of the application being ready for public notification within the following eight-day period. These changes potentially add an additional eight days to the assessment timeframe and requires an additional administrative task that takes time away from fulfilling existing statutory requirements.

7) clarify the development application assessment timeframes when council offices are closed between Christmas and New Year;

An extension to the assessment timeframe in accordance with office closures is highly supported and will reduce the need to request an extension of time to accommodate these closure periods.

8) modify the definition of 'subdivision' in the LGBMP Act to exclude a long-term lease relating to renewable energy infrastructure or other utility infrastructure from being considered a subdivision.

Excluding a lease or licence for the installation, operation or maintenance of telecommunications facilities, renewable energy infrastructure or other utility infrastructure that is reasonably necessary for or incidental to those purposes from the definition of a subdivision under the LGBMP Act is generally supported.

5 May 2026

State Planning Office
Department of State Growth

Email to: haveyoursay@stateplanning.tas.gov.au

Dear Sir/Madam

Draft LUPAA (Miscellaneous Amendments) Bill 2026

We provide the following submission to consultation on the *Draft LUPAA (Miscellaneous Amendments) Bill 2026* (draft Bill). This submission was prepared by staff for submission to the consultation period.

We generally support the draft Bill for revisions to the *Land Use Planning and Approvals Act 1993* (Act). The draft Bill does not address recommendation 7.1 of the Tasmanian Planning Commission's assessment report on the Tasmanian Planning Policies, which provided:

- 7.1 *Legislative change be considered that allows for more efficient processes when assessing LPS reviews and amendments (refer to section 34(2A)) – such that once the RLUSs and SPP's have been reviewed (so that they are in conformity with the TPPs) then if the LPS is consistent with them then it is also deemed to be consistent with the TPPs.*

The draft Bill addresses other processes that impact the operation of the relevant provisions in the Act, yet recommendation 7.1 was not addressed. The outcome from this recommendation is key to reducing the existing duplication in assessment of planning scheme amendments and new planning schemes.

The current practice is the strategic equivalent of having to assess every planning application against not only the planning scheme, but also all strategic documents above it. The existing process adds unnecessary cost and complexity to Councils, applicants, the development sector and ultimately the community.

Recommendation 7.1 must be addressed prior to commencement of the Tasmanian Planning Policies on 1 July. The failure to do so ignores the relevant expert advice and delays delivery of a critical reform to improve the operation and assessment of strategic proposals.

Please contact myself or our General Manager, Warren Groves, should you wish to discuss this submission.

Yours faithfully,



Jacqui Smith
Development Services Manager

From:
To: [State Planning Office Your Say](#)
Subject: CM: LUPAA (Miscellaneous Amendments) Bill 2026 - TasWater Submission
Date: Wednesday, 6 May 2026 11:35:39 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

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Good morning team,

Please consider this email TasWater's submission on the above Bill.

TasWater are supportive of the proposed amendments.

Whilst outside the scope of the current bill, TasWater believe it worthwhile for the SPO to consider the following in the context of furthering the purpose of the amendments discussed in section 3.4 of the Background Report.

Amendment to the *Water and Sewerage Industry Act 2008* (WSIA) s56T (4) would add clarity on what TasWater's timeframes are if we ARE satisfied with the additional information that is submitted. If changes are considered, we would seek 7 days for us to notify that we are satisfied and 14 days after receipt of the information to issue our Submission to the Planning Authority Notice. This would essentially give TasWater the full assessment timeframe as per 56P (3), because in most circumstances we cannot undertake any of our assessment without the information requested, so we should have the full 14 days.

We believe this could then lead to changes to s56P (4), where there are no timeframes listed, other than the phrase "reasonable" stated. This clause could also be potentially removed entirely, if 56T is altered as above.

Additionally, or alternatively, amendments to the WSIA in section 56T around additional information like those being considered to LUPAA would also add clarity to timeframes. Particularly subsections 2 and 4. i.e. when the Council offices are closed or are TasWater's, and clarifying that the Council's clock has not restarted before we determine whether the additional information is satisfactory to us.

TasWater would be happy to further discuss these matters if the SPO choose to consider them.

Regards

Development Assessment Manager



Our ref: Planning Legislation
Enquiries Lyndal Byrne, Coordinator Planning Services
Direct phone:
Email: gccmail@gcc.tas.gov.au

7 May 2026

State Planning Office
GPO Box 536, Hobart TAS 7001
haveyoursay@stateplanning.tas.gov.au

Dear State Planning Office

Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026

Thank you for the opportunity to provide feedback on the draft Miscellaneous Amendments Bill. Council officers are generally supportive of most of the changes proposed to be made to the *Land Use Planning Approvals Act 1993* as part of this Bill.

Changes to section 34 of the Act are supported in providing clearer direction to when the Tasmanian Planning Policies are taken to apply to LPS amendments.

The reasons for the proposed amendment to section 57 is supported as this will ensure Council staff are provided with the appropriate number of business days to assess applications, without losing time on the clock due to office closures.

An issue that is not supported in this Bill is the proposed change to section 54 (3)(a). Council's view is that there is no material benefit to mandating applicants be formally notified that an application is valid. It is considered that most Councils provide an informal statement to applicants at the beginning of the 8-day review period that if no update is provided then the information provided is considered to be satisfactory. Mandating this administrative task simply adds an 'administrative paperwork' for councils when time could be better spent undertaking assessments.

The change to section 14 is supported on the basis that consistent and up to date hazard mapping needs to be made available, however it may create issues if other state-wide maps are adopted and cannot be superseded by local Council maps which may have more recent or accurate data. There remains a concern that the type of mapping to be adopted in the SPPs extends beyond hazard mapping and may involve other strategic considerations such as heritage places or scenic road corridors, overriding Council's input on these matters.

We also maintain concerns about the extent of Interim SPPs amendment and the changes to S30NB(4)(a). Council officers would prefer such interim amendments are limited to “urgently address issues relating to heritage protection, natural or environmental hazards, public health and public safety.”

Please contact me if you have any questions regarding this submission.

Yours sincerely

Lyndal Byrne
Coordinator Planning Services



C/- 162 Macquarie Street
HOBART TAS 7000

State Planning Office
Department of State Growth

By email: haveyoursay@stateplanning.tas.gov.au

To whom it may concern

Thank you for the opportunity to provide a submission on the proposed amendments to the *Land Use Planning and Approvals Act 1993* (LUPAA).

As a developer of renewable energy projects, including the Northern Midlands Solar Farm, TasRex is very supportive of the proposal to modify the definition of 'subdivision' in the LGBMPA to exclude a long-term lease relating to renewable energy infrastructure or other utility infrastructure from being considered a subdivision.

This change will remove unnecessary red tape; reduce the time and cost of developing Tasmania's renewable energy resources; and ultimately support lower power prices. The change brings our approach in line with other states that have introduced similar frameworks.

We thank the Government for progressing this reform. Should you have any questions about our submission please contact the TasRex team via admin@tasrex.com.

Yours sincerely

B.E.S. Clark
Chief Executive Officer

Our Ref: LP.PLA.9

Enquiries: Michelle Riley
Phone : (03) 6323 9300

8 May 2026

State Planning Office
Department of State Growth
GPO Box 536
Hobart TAS 7001

By email: haveyoursay@stateplanning.tas.gov.au

Dear Sir/Madam

Submission to the draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026

Thank you for the opportunity to make a submission about the draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026.

West Tamar Council is generally supportive of the proposed amendments, however it is disappointing that recommendations made by the Tasmanian Planning Commission in relation to the implementation of the Tasmanian Planning Policies have not been included in this amendment package.

In particular, recommendations 7.1 and 7.8 of the Draft Tasmanian Planning Policies Report – June 2024 state:

7.1 *Legislative change be considered that allows for more efficient processes when assessing LPS reviews and amendments (refer to section 34(2A)) – such that once the RLUSs and SPPs have been reviewed (so that they are in conformity with the TPPs) then if the LPS is consistent with them then it is also deemed to be consistent with the TPPs.*

and

7.8 *Investigate any implications of the application of TPPs to decision making for Major Projects as currently required by the Act.*

Incorporating these amendments will ensure a more efficient planning process for Major Projects and LPS reviews and amendments and is strongly recommended that they be included in the Bill.



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If you would like to discuss this matter further please contact me on 6323 9300 or via email at wtc@wtc.tas.gov.au.

Yours faithfully

Michelle Riley
DIRECTOR PLANNING & DEVELOPMENT

Office of the Coordinator-General

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08 May 2026

Mr Sean McPhail
Acting Director
State Planning Office
Department of State Growth
haveyoursay@stateplanning.tas.gov.au

Dear Mr McPhail,

Submission – Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026

Thank you for the opportunity to provide input on the draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026 (the draft Bill). We note the draft Bill proposes amendments to the *Land Use Planning and Approvals Act 1993* (LUPA Act) and the *Local Government (Building and Miscellaneous Provisions) Act 1993* (LGBMP Act).

The Office of the Coordinator-General (OCG) welcomes the bulk of the proposed amendments (elements 1, 2, 6, 7 and 8), as outlined in the *Background Report for Consultation*, March 2026.

The OCG notes that elements 3, 4 and 5 propose to clarify and include *fairer processes* in LUPA Act in relation to the application of the Tasmanian Planning Policies (TPPs) and the declaration of new or amended Regional Land Use Strategies (RLUSs).

The OCG further notes that the making of the TPPs and the period prior to them becoming effective on 1 July 2026 does provide an opportunity for clarity and a reduction in complexity. The OCG welcomes the intention “to delete the existing provisions of Section 34 (2A) of the LUPA Act and, similar to the application of State Policies to a ‘relevant planning instrument’, simply require it to be consistent with the TPPs.”

The OCG, in its role as the Tasmanian investment portal, notes that a range of stakeholders have raised questions regarding the potential impact of the TPPs. This feedback has come from both prospective investors and planning practitioners and relates to:

- a) the role of the TPPs as an additional layer within the planning framework, alongside the State Planning Provisions; and
- b) the need for greater clarity on how the TPPs are intended to interact with other statutory components of the Tasmanian planning system, particularly the RLUS.

These concerns highlight opportunities to strengthen consultation on the proposed final versions of the RLUS and to provide clearer explanatory information on the interaction of framework elements.

The *Background Report for Consultation*, March 2026, notes that from 01 July 2026 all draft LPS amendments will be required to be consistent with the TPPs and ‘applicants and decision makers should be aware of their obligations. The OCG notes that, from the perspective of current and prospective investors, there would be value in clearer foundational evidence to help inform a shared understanding of those obligations.

For example, in relation to the Southern Tasmanian Regional Land Use Strategy (STRLUS), the OCG understands (based on advice received from the State Planning Office) that the TPPs effectively override the STRLUS in providing direction to planning authorities undertaking assessment and approvals processes where there is inconsistency between the two.

The OCG acknowledges the established hierarchy within the planning framework; however, it notes that inconsistency across strategic instruments has the potential to create uncertainty for planning practitioners, land managers and developers, which in turn may influence investment and development decisions. This is particularly relevant for developers who operate across multiple local government areas and planning regions, and who benefit from a high degree of consistency across the RLUSs. Based on the material available for consultation to date, the OCG considers that there remain areas where the draft RLUSs could be better aligned on a number of important matters.

The OCG also notes that the current review of the RLUSs coincides with an important period for investment in Tasmania. In this context, the OCG sees scope for the draft RLUSs to more fully incorporate a broader strategic perspective, including consideration of investment drivers and the implications of a changing climate for the future developability of key areas of the state.

In reviewing the draft Bill 2026, the OCG has identified a number of matters that may warrant further consideration. In particular, it is not clear how the proposed amendments take account of any modifications that may be required to Major Project assessment processes. In addition, information has not been provided on the extent to which the TPPs have been amended in response to the Tasmanian Planning Commission report following the TPP Hearings.

Addressing these matters may assist the Bill to more effectively contribute to improved clarity and consistency within the planning framework. In this regard, the OCG sees value in:

- a) reviewing all three RLUS together to support consistency and ensure they have sufficient capacity to respond to anticipated change;
- b) considering the draft RLUS within the broader context of other planning instruments (including the TPPs, SPPs and Major Project provisions) to promote alignment across the framework; and
- c) preparing explanatory information to support a clearer understanding of how the various planning elements interact.

Thank you for the opportunity to provide feedback on this important matter. The OCG would welcome the opportunity to discuss our concerns with the State Planning Office.

Yours sincerely

Dennis Hendriks
Acting Coordinator-General



State Planning Office
Department of State Growth
GPO Box 536
Hobart
TAS 7001

8th May 2026

Emailed; haveyoursay@stateplanning.tas.gov.au

Dear Sir/Madame,

Response to Draft LUPAA (Miscellaneous Amendments) Bill 2026

Central Highlands Council considers that the proposed amendments to the Land Use Planning and Approvals Act 1993 as set out in the Bill are reasonable. However, the following points are noted:

The change to Section 14 to make it clear that a State Planning Provision may contain a map, overlay, list or any other provision that provides for the spatial application of the SPPs to land is sensible.

However, the explanation of the six-step process in the discussion paper regarding the method for removing redundant State overlays is of concern as it is excessively bureaucratic and a waste of Council resources. Across all 29 Councils, this will waste many thousands of dollars of rate payer money.

Essentially, the process involves the State Government directing Local Government to ask the State Government to make the change, plus asking the State Government to exempt the change from the need for public exhibition.

It is recommended that the Bill introduce a straight forward mechanism whereby State overlays can be updated efficiently.

The change to Section 80 whereby a lease capable of exceeding 10 years is not to be considered a subdivision if for the installation, operation or maintenance of telecommunications facilities, renewable energy infrastructure or other utility that is reasonably necessary for or incidental to those purposes, is supported on the proviso that this change will not diminish Council's ability to levy rates on such developments.

Yours faithfully-

Stephen Mackey
General Manager

Administration & Works & Services
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Draft Land Use Planning and Approvals (Miscellaneous
Amendments) Bill 2026

City of Hobart Submission

April 2026

Executive Summary

The City of Hobart (the City) welcomes the opportunity to provide feedback on the Draft *Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026* (the Draft Bill).

The City supports the Draft Bill in principle, recognising that it provides improved transitional arrangements for the implementation of state and regional planning policies and clarifies statutory timeframes.

Regarding the scope of interim State Planning Provisions (SPPs) amendments, there are circumstances where it would be appropriate for more flexibility. However, given previous planning directives have caused fundamental planning changes, it is proposed that the ability to introduce an interim amendment is contingent on the consent of each planning authority and would only apply to those specific municipalities.

A response to each component of the Draft Bill is provided below.

Draft Bill Comments

1. SPPs to include maps (Part 2, Clause 4)

The introduction of additional wording to section 14(1)(g) to allow statewide overlay maps to be applied via the SPPs, rather than through individual council planning scheme amendments, is supported.

The City notes that the phases of the SPP amendment process, including notification, exhibition and any potential hearing, will continue to apply. Therefore, councils and members of the public will continue to have opportunities to comment on proposed overlay changes.

The following key queries require clarification:

- The procedural steps for deleting the outdated overlays of the Local Provisions Schedule (LPS), that are superseded by SPP overlays via an amendment process, are acknowledged. It is queried whether there is an alternative method for deleting redundant overlays concurrently with the amended SPPs coming into effect. Based on the steps outlined, this approach requires the immediate resourcing of each council's strategic planning teams. Whilst the outdated overlays would have no effect when temporarily in the scheme, conflicting provisions may cause issues in interpretation by applicants. Alternative methods to reduce the administrative burden on councils require further consideration.
- Given the statewide overlays would apply to the SPPs, it's unclear how this

information would be structured and coordinated with each LPS. The approach requires further consideration to ensure that all planning controls that affect each property are easily identified.

- The background report discussed statewide overlays in the context of natural hazards, including landslip, bushfire, coastal erosion and coastal inundation. It is noted that this change would allow for the potential introduction of planning controls on a state or regional level related to other matters, such as the themes of the Regional Land Use Strategies (RLUS). Therefore, this change would enable the application of state-led planning initiatives.
- The effects of this proposed change should be considered in relation to the Improving Residential Standards review, specifically the discussion paper titled '*Making It Easier to Develop Medium Density Housing*'. The proposed change could create a mechanism for implementing state and regional level recommendations. The spatial implications of these new controls, as well as the implementation approach, are currently under consideration.

2. Broader scope for interim SPPs amendments (Part 2, Clause 5)

There are circumstances where it would be appropriate for more flexibility to introduce an interim amendment. As an example, the recent proposal to make changes to Secondary Residences in the SPPs is expected to be broadly supported and could be appropriate as an interim amendment.

On the other hand, the introduction of Planning Directive 6 into the Hobart Interim Planning Scheme fundamentally changed the ability to use properties for visitor accommodation and has had a significant impact in the Hobart municipality. Efforts to unwind this arrangement have taken significant time and resources by the City.

It is proposed that the ability to introduce an interim amendment is contingent on the consent of each planning authority and would only apply to those municipalities where the corresponding planning authority has consented, to address the current uncertainty around the scope of the circumstances in which an interim amendment may be made.

3. Modifications to the LPS criteria relating to TPPS and RLUSs (Part 2, Clause 6 and Part 3, Clause 10)

The proposed changes to the LPS criteria, clarifying the application of the RLUS and the Tasmanian Planning Policies ('TPPs'), are supported in principle.

The City supports the following approach regarding the consistency of LPS amendment

with the RLUS and the TPPs:

- LPS amendments classified as a 'substantial modification' must be considered against the version of the relevant RLUS in effect when the direction was made by the TPC.
- LPS amendments certified prior to 1 July 2026 do not need to be consistent with the TPPs.
- LPS amendments classified as 'substantial modifications' by the TPC do not need to be consistent with the TPPs.

Further clarification is required regarding the 'relevant time' for LPS amendments classified as substantial amendments. Proposed section 34(2A)(b) states that the relevant time is "the time at which the planning authority provides the Commission with a report under section 35F(1)." It is assumed this refers to the date of the initial report associated with the LPS amendment, rather than any additional report following an exhibition.

4. Notification of satisfaction of additional information requests (Part 2, Clause 7)

The inclusion of a further administrative requirement to notify applicants when an additional information request has been satisfied is not supported.

The following key points are made:

- Further administrative burden would be placed on the planning authority to issue these notifications. At this stage in the process, the application is ready to proceed to advertising and/or the finalisation of the assessment. Further steps may contribute to delays in completing critical tasks for the application.
- The City currently utilises the Tasmanian Government's PlanBuild platform. This allows applicants to check the application status at any time.
- Planners are available to discuss the status of an application under assessment at any time. If this is unclear to applicant, a more appropriate method may be issuing a contact 'welcome card' upon initial allocation.
- If Council does not notify an applicant that the additional information request has been satisfied, it is unclear whether there is a process or penalty.

5. Clarification of timeframes under Section 57 (Part 2, Clause 8)

The City supports clarification regarding extended decision timeframes relating to office closures. However, it is suggested this clarification be made through revisions to section 57(6)(b)(i), which relates to decision timeframes, rather than creating additional complexity.

6. Long-term leases for renewable energy and other utility infrastructure (Part 3, Clause 10)



The City notes the proposed change to the definition of 'subdivide' in the *Local Government (Building and Miscellaneous Provisions) Act 1993* and has no objections.



HUON VALLEY COUNCIL

HUON VALLEY COUNCIL COMMENTS

Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026

Huon Valley Council welcomes the opportunity to provide a submission on the Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026 (the draft Bill).

1. Introduction

Council generally supports the proposed amendments. The draft Bill addresses several practical and operational issues that have created unnecessary delays, cost burdens and uncertainty in the administration of land use planning in Tasmania. In particular, Council welcomes amendments that:

- streamline the implementation of strategic land use planning provisions currently delayed by compliance timeframes under the *Land Use Planning and Approvals Act 1993* (LUPA Act);
- provide greater certainty regarding the State Planning Provisions (SPPs) for matters that are appropriately the responsibility of the State Government rather than individual councils; and
- clarify the development application assessment process for the benefit of both councils and applicants.

Council's specific comments on each element of the draft Bill are set out below.

2. SPPs to Include Maps – Part 2, Clause 4

Council supports the proposed amendment to section 14 of the LUPA Act to enable the SPPs to include maps, overlays and other spatially applied provisions.

Overlay maps associated with planning codes are, by their nature, the responsibility of the State Government and are most appropriately contained within the SPPs rather than replicated across 29 individual Local Provisions Schedules (LPSs).

The ability to update code mapping through a single SPPs amendment as new information becomes available — such as updated landslip hazard mapping or flood mapping from the SES Strategic Flood Mapping Project — ensures the planning scheme remains contemporary and reduces the risk of adverse planning outcomes where mapping may be inconsistent with

local knowledge.

Council strongly supports removing the expectation that councils bear the cost and administrative burden of preparing LPS amendments solely to update mapping that is generated and maintained by the State Government.

Council's preferred position is that the draft Bill expressly provide for the automatic deletion of superseded LPS overlay maps upon the adoption of equivalent SPP maps, without the need for a separate LPS amendment process.

The current proposal, which requires a subsequent direction to each council to prepare a draft LPS amendment to remove outdated overlays, continues to impose an unnecessary procedural and cost burden.

Providing statutory certainty for this outcome within the Bill itself would be a more efficient and transparent outcome for all parties.

3. Broader Scope for Interim SPPs Amendments – Part 2, Clause 5

Council acknowledges that broadening the criteria for making interim SPPs amendments introduces a degree of discretion that, if not carefully managed, could be susceptible to expedient use. Council notes this risk.

Notwithstanding this, Council accepts there is a clear and demonstrated need within the legislative framework for the ability to respond promptly to urgent planning issues as they arise, beyond the current narrowly prescribed circumstances.

Council therefore supports the inclusion of an additional criterion allowing interim SPPs amendments to be made on any other matter recommended by the Commission.

Council's support is contingent on the process remaining open and transparent. It is noted that the existing requirements under section 30NB(4)(a) and (b) — that the Minister must be satisfied the amendment is necessary or desirable to urgently address issues and that it is in the public interest to give effect to it as soon as practicable — are retained under the draft Bill.

This provides a reasonable safeguard against purely opportunistic use. Council supports this approach and expects that the Commission's recommendation role will provide an independent check on the exercise of this power.

4. Modifications to LPS Criteria – Part 2, Clause 6 and Part 3, Clause 10

Council supports the proposed modifications to section 34 of the LUPA Act.

The simplification of the consistency requirement with the Tasmanian Planning Policies (TPPs), replacing the unnecessarily complex existing provisions of section 34(2A), is a sensible and overdue clarification.

The linkage between LPS criteria, the TPPs and the Regional Land Use Strategies (RLUSs) provides greater certainty in the application of section 34, which is welcomed.

Council also supports the inclusion of transitional provisions to protect draft LPS amendments that are already in progress from being reassessed against a newly declared RLUS or the TPPs where they become effective mid-process.

The identification of the section 40F certification date as the appropriate delineation point is a pragmatic and fair approach that provides a clear, objective trigger for both councils and applicants.

5. Notification of Satisfaction of Additional Information Requests – Part 2, Clause 7

Council supports the proposed amendment to section 54 of the LUPA Act.

The absence of any obligation on a planning authority to notify an applicant when an additional information request has been satisfied has created genuine uncertainty for applicants and, in practice, confusion about when the statutory assessment timeframe recommences.

The proposed amendment — requiring notice within 8 business days of receiving information, whether or not the council is satisfied — addresses this gap and provides clarity for both the council and the applicant.

This amendment is a straightforward improvement that will benefit the administration of development applications across all councils and is strongly supported.

6. Clarification of Timeframes Under Section 57 – Part 2, Clause 8

Council supports the proposed amendment to section 57(5AA) of the LUPA Act.

The existing provision allows an extension of the advertising period where a planning authority's office is closed during normal business hours, but the extension has not applied to the subsequent 42-day determination timeframe. This creates an administrative burden for councils during office closures, particularly over the Christmas and New Year period and Easter.

The proposed amendment, which expressly extends the determination period under section 57(6)(b) by the same number of days as the advertising period extension, resolves this inconsistency and is a sensible and practical clarification.

7. Long-Term Leases for Renewable Energy and Other Utility Infrastructure – Part 4, Clause 12

Council supports the intent of the proposed amendment to the *Local Government (Building and Miscellaneous Provisions) Act 1993* (LGBMP Act) to exclude long-term leases for renewable energy infrastructure, telecommunications facilities and other utility infrastructure from the definition of *subdivide*.

However, Council's view is that **the proposed amendment does not go far enough**.

The underlying problem is that the treatment of any lease exceeding 10 years as a subdivision under the LGBMP Act is, in practice, unenforceable and wholly unsuitable for private leasing arrangements. Council makes the following observations in support of a more comprehensive amendment:

- Huon Valley Council has, in its 32-year history, never received a subdivision application based upon a lease arrangement. This reflects the reality that this provision is not being applied in practice.
- A council is not in a position to be aware of private leasing arrangements and has no practical capacity to enforce a requirement for subdivision approval against private leases.
- The substantive requirements of subdivision assessment — including public open space, road access standards and other development standards — are entirely irrelevant to and incapable of being applied to a private lease arrangement.
- There is no mechanism by which a final plan of subdivision could be lodged, sealed and accepted by the Land Titles Office in respect of a lease, given no new title is created.
- Leases are not registered on title and therefore sit entirely outside the framework that subdivision law is designed to regulate.

As noted in the Background Report, subdivision is clearly designed as a mechanism for creating new titles. It has no logical or practical application to private lease arrangements. The use of land under a lease would ordinarily be regulated through a permit under the LUPA Act, which is the appropriate and existing mechanism.

Council's position is that any lease of land should be excluded from the definition of subdivision in section 80(1) of the LGBMP Act.

Council's preferred drafting outcome is that the Bill amend section 80 by omitting the existing

lease-related exclusions in paragraphs (a), (b) and (c) of the definition of *subdivide* and replacing them with a single, comprehensive exclusion for any lease of a building, land or airspace.

This would provide a clean, unambiguous outcome and remove the archaic and unenforceable legacy provision in its entirety, rather than addressing it piecemeal.

Council acknowledges that the LGBMP Act is subject to a broader review and ultimate repeal. However, retaining the current framework as an interim measure, with only a narrow infrastructure-specific carve-out, perpetuates an archaic and unworkable provision for no discernible policy purpose or public benefit.

Council strongly urges the State Government to take the opportunity presented by this Bill to resolve this matter comprehensively.

8. Conclusion

Huon Valley Council supports the objectives of the draft Bill and the majority of the proposed amendments. The proposed changes represent a practical and proportionate response to issues identified through the operation of the planning system and are likely to deliver meaningful improvements in efficiency, clarity and fairness for councils, applicants and the community.

Council's key requests are:

1. **SPP Maps:** That the Bill be amended to provide for the automatic deletion of superseded LPS overlay maps upon adoption of equivalent SPP maps, without requiring a separate LPS amendment process.
2. **Long-term Leases:** That the Bill be amended to comprehensively exclude all leases of land from the definition of *subdivide* in section 80(1) of the LGBMP Act, rather than adopting a narrow infrastructure-specific exclusion.

Council is pleased to discuss any aspect of this submission further and thanks the State Planning Office for the opportunity to engage in this consultation process.

11 May 2026

State Planning Office
Department of State Growth
Via email: haveyoursay@stateplanning.tas.gov.au

To whom it may concern,

LUPAA (Miscellaneous Amendments) Bill 2026, subdivision definition

Cogency Australia Pty Ltd is a planning and engagement consultancy with deep development approval experience in Tasmania and other Australian states. Specifically, we have extensive experience supporting our clients with approvals for large-scale renewable energy generation and storage projects.

We commend the proposed changes to the definition of subdivision that will exempt renewable energy generation and energy storage projects with long-term leases from 'deemed subdivision'. This regulatory improvement will provide practical support to major projects, where long-term leases are the standard approach to land tenure and the existing regime requiring subdivision creates unnecessary burden. This change aligns with other jurisdictions.

We suggest the Department ensures that the proposed wording captures large-scale battery energy storage systems (BESS) within the umbrella term of 'other utility infrastructure'. Our experience is that BESS projects are considered under the planning use class 'Utilities' within the Tasmanian Planning Scheme. A specific call out to 'energy storage' may be warranted, if 'other utility infrastructure' is too ambiguous.

Additionally, we respectfully suggest the Department considers including data centres within the exemption definition of part (f):

(f) a lease or licence for the installation, operation or maintenance of telecommunications facilities, renewable energy infrastructure, data centres or other utility infrastructure that is reasonably necessary for or incidental to those purposes.

We submit that data centres are another essential infrastructure class worthy of inclusion in the proposed changes. Other jurisdictions including South Australia, NSW and Victoria have deemed data centres to be essential infrastructure.

Both BESS and data centres are increasingly integrated into major renewable energy projects in Tasmania, as they are highly complementary and benefit from co-location. There are strong policy and public interest grounds for these facilities to be encouraged in Tasmania. We understand ReCFIT are actively working to support such projects across Tasmania to achieve renewable energy and emission reductions goals.

To date, under the Tasmanian Planning Scheme, as applied by individual councils, there is lack of clarity determining a consistent use class for Data Centre. Cogency considers the use class Telecommunications / Utilities most aligned, but recent decisions in Tasmania have classed them as 'Research and Development' use. In any case, including them specifically in point (f) as suggested above will ensure that they are also exempt from deemed subdivision. Data centres are best located near existing substation infrastructure and/or electricity generation, meaning – similar to location of BESS' – there will be proposed data centres on large land parcels, where a long-term lease is preferred to subdivision.

Should you have any questions about our submission, please do not hesitate to contact me at or at

Yours Sincerely,

Billy Greenham
Associate Director
Cogency Australia

11 May 2026

Sean McPhail
Acting Director
State Planning Office
Department of State Growth
Email: spo@stateplanning.tas.gov.au

Draft LUPAA (Miscellaneous Amendments) Bill 2026

Thank you for the opportunity to provide comments on the Draft *Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026* (the draft Bill).

Heritage Tasmania provides administrative support to the Tasmanian Heritage Council (THC) under the *Historic Cultural Heritage Act 1995 (the Heritage Act)*. THC's statutory functions intersect with discretionary development assessment timeframes under the *Land Use Planning and Approvals Act 1993* (LUPAA) where applications relate to places entered on the Tasmanian Heritage Register.

Heritage Tasmania notes the overall intent of the draft Bill to improve clarity and efficiency in development assessment processes. Our interest in the draft Bill relates to provisions for additional information processes and statutory assessment timeframes under LUPAA, which are of particular relevance to heritage assessment processes.

Notification of Satisfaction of Additional Information Requests (Part 2, Clause 7)

Heritage Tasmania supports the proposed amendment requiring planning authorities to notify applicants when requests for additional information have been answered to the planning authority's satisfaction, and to clarify when statutory assessment timeframes recommence.

Similarly, there is no formal mechanism for the Heritage Tasmania to be notified when planning authorities request additional information or when statutory assessment timeframes stop and recommence. In practice, Heritage Tasmania often relies on informal officer-to-officer communication to obtain this information. This can create inefficiency and inaccurate information in managing assessment timeframes for development applications that require consideration by the THC.

Where heritage-related referrals apply, it is recommended that consideration be given to extending the notification requirement to the THC (via Heritage Tasmania as its administrative body). Clear notification of both the suspension and recommencement of statutory timeframes would improve transparency and procedural certainty for applicants, planning authorities and referral agencies, and support more efficient and coordinated decision-making.

Clarification of Timeframes During Office Closures (Part 2, Clause 8)

Heritage Tasmania supports the proposed clarification to align statutory timeframes with operational realities by extending statutory assessment timeframes to account for periods when a planning authority's office is not open for business. This ensures development applications are assessed within equitable and realistic timeframes.

The draft Bill also proposes procedural amendments enabling State Planning Provisions to include maps and overlays; amendments intended to simplify Local Provisions Schedule criteria and introduce savings provisions for transitional arrangements; and amendments to the definition of "subdivide" in the *Local Government (Building and Miscellaneous Provisions) Act 1993* relating to long-term leases for renewable energy and other utility infrastructure. Heritage Tasmania supports the intent of these amendments, which collectively improve clarity, transparency and the effective operation of the planning system.

If you would like to discuss the above comments, please contact Ian Boersma, Works Manager Heritage Tasmania

Yours sincerely

Melissa Ford

Director

Heritage Tasmania

11 May 2026

State Planning Office
Department of State Growth
GPO Box 536
Hobart TAS 7001
haveyoursay@stateplanning.tas.gov.au

To whom it may concern

Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026

Thank you for providing the opportunity to provide a submission the draft Bill titled 'Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026', which proposes to amend both the *Land Use Planning and Approvals Act 1993* and the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

Council's submission is as follows:

3.1 SPPs to include maps – Part 2 clause 4 of the draft bill

- 3.1.1 The amendment to enable the SPPs to contain a map, overlay, list or other provision that provides for the spatial application of the SPPs to land is supported. The changing nature of the hazard mapping, and this being completed at a state level rather than a local level, make sense for the overlay maps to be amended to incorporate this mapping, rather than requiring individual amendments to each LPS.

Consideration should be given to how the SPP based overlays maps, if applied to other natural hazards, will account for issues that require localised responses. For example, if applied to flood-prone area mapping, how would this account for localised council flood mapping where such contemporary local council flood studies provide a higher level of detail. For example, will LPS mapping take precedence and – if so – how. Or will councils be expected to request amendments to the SPP maps? If the latter, what is the anticipated process for such requests?

- 3.1.2 Other examples of where SPP based overlay maps could be warranted, beyond natural hazards, include the overlays of the Safeguarding of Airports Code, Electricity Transmission Infrastructure Protection Code, the Road and Railway Assets Code (providing that local major roads may also be identified through the LPS).

3.2 Broader scope for interim SPPs amendments – Part 2 clause 5 of the draft Bill

- 3.2.1 The supporting documentation does not make clear what kind of changes this would seek to implement and why the existing process is insufficient for matters that aren't related to hazards, public health, and public safety. Without a clearer understanding of the type of Interment SPP amendments that are being contemplated, support cannot be provided at this time.

3.3 Modifications to the LPS criteria relating to TPPs and RLUSs – Part 2 clause 6 and Part 3 clause 10 of the draft Bill

3.3.1 The proposed wording changes to (2)(da) is generally supported, providing that the additional precursor ‘as far as practicable’ is introduced in front of ‘is consistent with the TPPs’. This is aligned with the RLUS test found at (e) and appropriately recognises that there will be matters outlined within the TPPs that are not practicable to be resolved through an LPS, or a particular amendment to an LPS, and are more appropriately resolved through the SPPs or RLUSs. For example, how found an LPS be able to be consistent with the requirement to identify a settlement or activity centre hierarchy, or – if SPP overlays are introduced – identifying areas subject to flood inundation or landslip? The implementation statement of the TPPs are also drafted in a way that reflects the current requirement for consideration of ‘relevant criteria’ and would require revision to align with the revised wording proposed. The implementation statement does not, however, describe what to do with strategies that are not relevant to the particular matter. If the proposed wording is pursued without a qualifier, the Implementation Statement of the TPPs will need to be amended as a matter of urgency to more clearly outline how an LPS may demonstrate consistency when the amendment is not relevant to a particular policy/strategy or not the most effective planning instrument to implement the TPP.

3.3.2 Deletion of the current text of 34(2A) is supported.

3.3.3 The introduction of savings provisions to require draft amendments to be considered in accordance with the relevant RLUS in force at the time the draft amendment was certified under section 40F of the LUPA Act is supported. It is agreed that this provides for a fairer process that avoids confusion.

3.3.4 Consideration should be given to providing saving provisions for applications to amend an LPS lodged under section 37 of the LUPAA to not require consistency with the TPPs, where lodged prior to the commencement of the TPPs. This would be comparable to s51(3) which states that ‘*the decision of a planning authority on an application.... Is to be made in accordance with the provisions of the planning scheme as in effect on the day on which the application is validly made.*’ This would provide for any applications to amend an LPS that have already been received but are unlikely to be certified by the commencement date of the TPPs due to either administrative reasons, delays in acquiring expert reports, or the like.

3.4 Notification of satisfaction of additional information requests – Part 2 clause 7 of the draft Bill

3.4.1 The amendment to require Councils to notify the applicant in writing within 8 business days of the additional information either being satisfied or not is supported. It will result in process changes and have a greater administrative burden for each application, however, it could be facilitated.

3.4.2 The inclusion of the date the planning authority gives notices of the additional information request has been satisfied, clearly distinguishes that the clock resumes on the date that Council notifies that it is satisfied, and not the day in which the information is received. This inclusion is supported.

- 3.4.3 It is noted that the change within the LUPA Act between calendar days and business days can be confusing. It is recommended that a consistent application of either business days or calendar days within the legalisation is used.
- 3.4.4 It is recommended that a definition for Business Days be provided in the Section 3 Interpretation of the LUPA Act to clearly define what Business Days are and how it interacts with days in which the office is closed especially for public holidays.
- 3.4.5 What are the ramifications of a planning authority not notifying an applicant within 8 business days that the additional information has been satisfied? The clock does not appear to recommence until planning authority has notified the applicant that the further information has been satisfied.

3.5 Clarification of timeframes under section 57 – Part 2 clause 8 of the draft Bill

- 3.5.1 The intent of this amendment is supported. This is considered to assist the office closures over Easter and the Christmas and New Year period.
- 3.5.2 As mentioned in 3.4.4 an interpretation to define business days should be provided.
- 3.5.3 Note the terminology used. Business days and business hours. It is assumed that where the planning authority is not open for a full normal business day (e.g. opened half a day only) then this requires the extension to the advertising period.
- 3.5.4 Further clarify in the legislation the interaction with weekends when extending the days for when office is closed during normal business hours. Would you include the weekends as additional days, or are the additional days added to the time period, only days in which the planning authority is open (normal business hours)?

Should it be ‘...the period is extended by one additional business day for each such day... and the time period extended by the same number of business days.’
- 3.5.5 It is recommended that the same approach be afforded for S58 (permitted applications). If the planning authority is closed during normal business hours the 28 day timeframe be extended by the number of business days that the planning authority was closed (only extending the period on the days in which the planning authority is open (i.e. excluding weekends).
- 3.5.6 It is recommended that clarification be provided regarding the calculation of the statutory 14-day notice period under sections 57(3), (4) and (5) of the LUPA Act, particularly where notice is published in a newspaper on a weekend (e.g. Saturday).

Specifically, it is unclear whether the 14-day period is intended to commence from the date of publication itself, or from the following business day when council offices are open.
- 3.5.7 Further to the above, clarification is also sought as to whether the 14-day advertising period may conclude on a weekend or non-business day, when council

offices are closed, or whether the period must instead extend to the next business day.

For example, where notice is published in a Saturday edition of a newspaper, uncertainty arises as to whether publication on that day constitutes the commencement of the advertising period, or whether the period should commence on the following business day. This in turn affects the calculation of the closing date.

In practice, this raises questions as to whether the closing date should fall on a weekend when submissions cannot reasonably be received, remain on the calculated date, or be extended to the next business day.

The treatment of non-business days, including whether time periods for the purposes of sections 57(3), (4) and (5) of the LUPA Act may commence or end on days when council offices are closed, requires clarification.

- 3.5.8 It is considered that the time period prescribed under section 57(5) could be simplified by adopting a business-day approach, for example, by requiring a minimum period of 10 business days rather than 14 calendar days.

Under this approach, days on which council offices are closed would not be counted, thereby providing greater clarity and consistency in the calculation of time. The advertising period would commence on the first business day following publication of the notice, and would expire at the end of the 10th business day.

This method would remove ambiguity associated with weekends and public holidays, ensure that the full submission period occurs when offices are open to receive representations, and improve administrative certainty for both councils and the public.

3.6 Long-term leases for renewable energy and other utility infrastructure – Part 3 clause 10 of the draft Bill

- 3.6.1 How does (c) relate with (f). Does the specific override the general in this instant? Does (c) require an exclusion provision to tie to (f)?

Thank you for the opportunity to provide a submission. If you have any questions, please contact me

Kind Regards

Natasha Whiteley

Team Leader Town Planning

11 May 2026

Mr Sean McPhail
Acting Director
State Planning Office

via email: haveyoursay@stateplanning.tas.gov.au

Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026

Dear Sean

Thank you for the opportunity to comment on the Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026. We are generally in support of the draft amendment and provide the following commentary.

SPPs to include maps - Part 2 clause 4 of the draft Bill

We support the concept of hazard mapping to be managed at the state level, to ensure consistency across the state and to be based on common parameters and methodology. To this end, the state should be responsible for mapping through the SPPs and, through an assessment/adoption process, enable council to provide specific input. This would allow the maps and the relevant codes to be reviewed in consideration of each other.

Benefits in extending this concept to all state-owned data sources used to inform code maps, such as priority vegetation mapping in the Natural Assets Code should be explored, and would be beneficial for the same reasons as outlined above.

Broader scope for interim SPPs amendments - Part 2 clause 5 of the draft Bill

The opportunity provided through the draft bill to effectively and efficiently address issues with the SPP's through recommendations by the Commission is supported.



Modifications to the LPS criteria relating to TPPs and RLUSs – Part 2 clause 6 and Part 31 clause 10 of the draft Bill

While this clarification is supported, which takes some of the redundancy out the legislation, it is unclear how this operates given the provisions of subsection (3), which enables consideration of an LPS or amendment which was made prior to the TPPs to be assumed that it meets the TPPs. Further, it raises the question of whether “old/non-compliant’ LPS amendments would potentially be locked in for five years, in which time unintended and irreversible consequences, such as the wrong development in the wrong locations may impinge on council’s ability to execute local strategies.

Notification of satisfaction of additional information requests – Part 2 clause 7 of the draft Bill

The clarification put forward in the draft bill for the period referred to under sections 57(6)(b) or 58(2) of the LUPA Act is strongly supported. On the other hand, the introduction of the requirement for councils to notify the applicant when the additional information request response has been satisfied is not supported. While providing good customer service by maintaining communication between council and applicants for such things as assessment updates is always encouraged, legislating such requirements is arguably over and above the purpose of the Act. The concept of council being automatically penalised through TasCAT and potentially the Supreme Court over a missed ‘update’ is extraordinary, and the requirement to actively monitor against doing assessments so creates an unnecessary administrative burden to often resource constrained councils.

In this day and age, simple assessment updates could be readily provided through automated software systems specifically designed for the RMPS. Noting that no such assessment software is currently available for all Tasmania councils that is user friendly, affordable and integrates with current council file management software systems, a shift of focus for the State government to support or advocate for these purpose-built software solutions would be beneficial.

In summary, it is arguable that the draft bill is increasingly more concerned with process rather than outcomes, which does not beget good planning.

Clarification of timeframes under section 57 – Part 2 clause 8 of the draft Bill

The ability to extend the assessment timeframe to match the extension of time given for public consultation is strongly supported. This provides reasonable time for council’s to address any representations received in a timely manner, instead of further reducing assessment timeframe, as is the current situation.

In terms of the drafting of Division 2, calendar days and business days are used interchangeably, which causes reliance on Acts Interpretation Act to understand how to apply these provisions. It would be beneficial if this could be reduced by the use of consistent and



contemporary language throughout LUPAA. This highlights the need for a proper review of LUPAA, to rewrite Division 2 to bring it up to date.

This is further explored in councils' response to the consultation on "Preventing Delays in Development Assessment Timeframes."

Long-term leases for renewable energy and other utility infrastructure – Part 3 clause 10 of the draft Bill

This is supported, but should be extended to remove long-term leases altogether, irrespective of use. Section 122 LGBMP only applies to disposal by Crown and is predicated on such a plan which "ought to be reasonably approved". This would suggest a test of which relevant planning controls would be relevant to consider. It is noted that the operation of s115 LGBMP is also applicable.

Long-term leases also apply to private property or council property which do not enjoy the provisions of section 122 LGBMP. In addition, there is a lack of clarity about whether a (as an example) 10 +1 year lease exceeds 10 years as it comprises more than one "term".

While these applications are few and far between, we are unaware of the advantages of including long-term leases of any sort in this definition and believe it should be removed completely.

I trust this feedback is sufficient for your needs. If you wish to discuss any of the above submission, please contact council's Manager Statutory Planning, Vanessa Tomlin

Yours sincerely

Daniel Marr
Head of City Planning



Renewables, Climate and Future Industries Tasmania

Department of State Growth
4 Salamanca Place, Hobart TAS 7000
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State Planning Office
Department of State Growth
GPO Box 536
Hobart TAS 7001
Email: haveyoursay@stateplanning.tas.gov.au

Dear State Planning Office

Draft *Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026* – Consultation Response

ReCFIT welcomes the opportunity to provide feedback on the Draft *Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026*.

We acknowledge and appreciate the State Planning Office's ongoing work to refine and improve Tasmania's planning framework. In particular, we recognise that the draft Bill focuses on clarifying processes, improving efficiency, and addressing operational issues, while maintaining the existing policy intent of the legislation.

ReCFIT is pleased to note that our request regarding the definition of subdivision (in the context of leases and licenses for renewable energy projects) has been considered and incorporated into the draft Bill. We thank the State Planning Office for their constructive engagement and responsiveness in progressing this amendment.

From ReCFIT's perspective, the updated definition will assist in providing greater certainty for proponents and regulators and better align planning outcomes with project expectations. This is a positive step to ensure that the planning system remains practical, transparent, and fit for purpose.

ReCFIT also notes that, as the Tasmanian Planning Scheme contains definitions that apply across the state, it will be important to ensure consistency between definitions used in the legislation and within the State Planning Provisions. This will help avoid ambiguity in interpretation and support efficient and consistent development assessment across councils.

Overall, ReCFIT supports the progression of the draft Bill and considers that the proposed amendments represent a constructive and contemporary improvement to the planning framework. We appreciate the opportunity to contribute to this consultation and would be pleased to provide any further input if required.

Yours sincerely

Stewart Sharples
Director Major Energy Projects
Renewables, Climate and Future Industries Tasmania

11 May 2026

Clean Energy Tasmania

200 New Town Road

NEW TOWN, Tas. 7008

May 11th, 2026

State Planning Office

Department of State Growth

Via email haveyoursay@stateplanning.tas.gov.au

Re: LUPAA (Miscellaneous Amendments) Bill 2026

To whom it may concern.

Clean Energy Tasmania (CET) was established in 2023 by the Tasmanian Chamber of Commerce and Industry ('the TCCI') as a subcommittee of the TCCI, to progress investment and development in clean and renewable energy in Tasmania.

CET was established to:

- be the recognised and unified voice for advocacy on Tasmanian energy matters to relevant State and Federal Government departments, regulators and other relevant organisations;
- gather information and establish a rigorous evidence base on the benefits of the clean energy industry to the community; and
- act on behalf of Tasmanian business in advocacy activities relating to energy policy formulated by government.
- CET is focused on the needs of the clean energy industry, supporting existing participants and encouraging new participants to grow the sector in Tasmania. It will engage and co-operate with other energy related entities to achieve mutually beneficial outcomes.

CET welcomes the proposed amendment to exclude renewable energy leases or licences from being required to be treated as subdivisions.

This removes unnecessary red tape, and will reduce time and cost in developing Tasmania's renewable energy resources. It brings our approach in line with other states that have introduced similar clarifying frameworks.

We thank the Government for progressing this reform.

Yours sincerely

Ian Jones

CHAIR

A DIVISION OF THE TASMANIAN CHAMBER OF COMMERCE & INDUSTRY

13 May 2026

Sean McPhail
Acting Director
State Planning Office

Sent via email: haveyoursay@stateplanning.tas.gov.au;

Dear Sean,

Draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026

The Local Government Association of Tasmania (LGAT) supports the intent of the draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026 to improve clarity, consistency and the efficiency of statutory planning processes. The amendments address several practical issues identified by councils and represent small but necessary steps towards improving the operation of the planning system.

Statutory timeline clarity and consistency

Local government welcomes amendments that clarify application assessment processes, including the proposed changes to Section 54 on additional information requests. Providing clearer statutory triggers for when the assessment timeframe is paused and when it recommences codifies common practice and ensures consistency and certainty for applicants and councils.

We also support clarifying assessment timeframes under Section 57 to align allowances for office closure periods between the public consultation period and the statutory timeframe for an assessment decision. This addresses inconsistencies raised by councils and delivers a more practical and consistent application of statutory timeframes.

Statewide mapping and overlays in SPPs

The proposal to allow the State Planning Provisions (SPPs) to include spatial mapping and overlays, is a practical and efficient approach to statewide mapping and overlays. Local government has consistently identified inefficiencies associated with implementing statewide mapping changes, such as the Tasmanian Strategic Flood Mapping, which would have required twenty-nine (29) separate Local Provisions Schedule (LPS) amendments.

However, further consideration is required to ensure that more granular hazard mapping, such as detailed local flood studies, can be efficiently incorporated to support improved decision-making. The implementation of the Land Use Planning and Building Control Policy Options Report from the Tasmanian Land Use Planning and Building Control Policy for Flood Risk Management Project must be properly resourced to create appropriate pathways for councils to have detailed local flood mapping efficiently assessed and adopted. This process should also ensure alignment of mapping methodologies to improve statewide consistency.

Interim SPP amendments

Local government notes the proposed expansion of the scope for interim SPP amendments. While this may improve the system's responsiveness in some instances, the need for the proposed change has not been sufficiently demonstrated. Particular care will be required to ensure that these powers do not undermine planning system stability, transparency and community engagement. These amendments should not compromise councils' role in administering the planning system and in appropriately responding to local concerns and conditions.

Planning directives issued under the former LUPAA were, on occasion, used to inappropriately curtail local government's capacity to respond to local concerns. For example, Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes prevented councils from regulating the conversion of long-term residential properties into short-stay accommodation. This resulted in a loss of residential housing supply, excessively low rental vacancy rates, and high rental inflation for permanent residents. It is important that there be criteria around public interest and other impacts to prevent this from recurring.

LPS criteria relating to Tasmanian Planning Policies and Regional Land Use Strategies

The amendments to the Local Provisions Schedule (LPS) criteria to ensure consistency with the Tasmanian Planning Policies (TPPs) and Regional Land Use Strategies (RLUS) are supported, so current LPS work is measured against the policies and strategies in place at the commencement of the process. Further work is required to provide clear guidance to planning authorities and practitioners on how to meet LPS criteria, enabling councils with limited resources to evaluate proposed amendments quickly and easily against the correct criteria across different instruments.

We note that the Tasmanian Planning Commission (TPC) recommended that legislative changes be considered to enable more efficient processes for assessing LPS reviews and amendments, while maintaining consistency with the relevant RLUS and the TPPs. The Minister's response to the TPC notes that this may not be desirable or achievable. However, appropriate guidance materials should be developed to support the intent of the TPC's recommendation.

Long-term leases for utility infrastructure

We note the proposed amendment to exclude certain long-term leases for renewable energy and utility infrastructure from the definition of subdivision, as they typically do not require new land titles and subdivision processes are not suitable. This change highlights the need to prioritise the promised, but long overdue, review of the *Local Government (Building and Miscellaneous Provisions) Act 1993* to address these issues more comprehensively and align with contemporary practice.

Conclusion

Overall, local government supports the direction of the draft Bill. Further work, education and reform should be considered in partnership with local government, with a focus on improving application quality, planning scheme clarity and system integration to deliver more efficient and effective planning outcomes across Tasmania.

Yours sincerely,

Dion Lester
CHIEF EXECUTIVE OFFICER



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13 May 2026

State Planning Office
Department of State Growth
GPO Box 536
Hobart TAS 7001

By email: haveyoursay@stateplanning.tas.gov.au

Dear State Planning Office,

RE: PMAT Submission: *draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026*

The [Planning Matters Alliance Tasmania](http://www.planningmatterstas.org.au) (PMAT) thanks the State Planning Office for the opportunity to comment on the *draft Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026* [here](#). The main consultation document is the [Draft Land Use Planning and Approvals \(Miscellaneous Amendments\) Bill 2026 Background Report for Consultation March 2026](#) (the *Background Report for Consultation*). Please see attached PMAT's position regarding the six key elements of the draft Bill.

Consultation was open from 30 March to 11 May 2026. Thank you for allowing PMAT to lodge our submission on the 13 May 2026.

We understand, that following the consultation period the submissions will be reviewed with the issues raised informing modifications to the draft Bill prior to tabling in Parliament towards the middle of the year. We are happy for our submission to be made public.

Yours sincerely,

Sophie

Sophie Underwood
State Director – Planning Matters Alliance Tasmania

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The draft *Land Use Planning and Approvals (Miscellaneous Amendments) Bill 2026* (the draft Bill) proposes various legislative amendments to the *Land use Planning and Approvals Act 1993* and the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

The following section outlines PMAT's position regarding the six key elements of the draft Bill:

1. SPPs to include maps - Part 2 clause 4 of the draft Bill;
2. Broader scope for interim SPPs amendments - Part 2 clause 5 of the draft Bill;
3. Modifications to the LPS criteria relating to TPPs and RLUSs – Part 2 clause 6 and Part 31 clause 10 of the draft Bill;
4. Notification of satisfaction of additional information requests – Part 2 clause 7 of the draft Bill;
5. Clarification of timeframes under section 57 – Part 2 clause 8 of the draft Bill; and the
6. Long-term leases for renewable energy and other utility infrastructure – Part 3 clause 10 of the draft Bill.



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1. State Planning Provisions to include maps - Part 2 clause 4 of the draft Bill

PMAT DOES NOT SUPPORT THIS AMENDMENT - The proposed amendment should only apply to the Hazard mapping rather than for all our Statewide Zones and Codes

The State Planning Office website [here](#) (as opposed to the *Background Report for Consultation*) states ***Why do the State Planning Provisions need to include maps?*** This section states *Closer scrutiny of the LUPAA has revealed that the SPPs cannot include a map or overlay map. The draft Bill includes an amendment to the LUPAA to allow for the SPPs to include a map, overlay, list or other provision that identifies the spatial application of the SPPs.*

The proposed amendment to the *Land use Planning and Approvals Act 1993* would introduce **extraordinary new powers to the State Government** by allowing it to apply any new map, new overlay map, list or other provision that identifies the spatial application of the State Planning Provisions to any part of private or public land in Tasmania **in a single amendment.**

The Tasmanian State Planning Provisions (SPPs) form a mandatory, consistent set of blunt planning rules within the *Tasmanian Planning Scheme*, comprising Zones and Codes to govern land use and development across the state. They include standardized administrative requirements, definitions, exemptions, and development standards for zones and codes.

The State Planning Provisions include:

- [23 overarching generic zones](#) (e.g. General Residential Zone, Environmental Management Zone, Open Space Zone, Recreation Zone, Major Tourism Zone, Future Urban Zone, General Industrial Zone etc); and
- [16 overarching generic codes](#) (e.g. Scenic Protection Code, Natural Assets Code, Telecommunications Code, Local Historic Heritage Code etc).

We do not support the proposed amendment for the following reasons:

- The impact of the proposed amendment has not been fully explained.



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- It gives too much power to the State Government over local Councils and communities in deciding land use and development. At present any land rezones/changes to the planning scheme are rightly subject to local Council approval first and then if passed by Council is subject to robust public consultation conducted by the Council and later assessed by the Tasmanian Planning Commission. The proposed amendment would also remove local Councils from initiating planning scheme amendments/changes. This would also mean the community would have no ability to stop the initiation of planning scheme amendments.
- This new power could be used to rezone land without local Council/community approval.
- It applies to all Codes and Zones not just the Hazard Codes. **The proposed amendment should only apply to the Hazard mapping rather than for all our Statewide Zones and Codes.**
- These changes could alter the application of Zones and Codes without notification to landowners.
- Gives extraordinary new power to the State Government over local planning schemes.
- We are unclear of the full ramifications of allowing the rezoning of land across Tasmania in a single amendment in conjunction with the proposed broadening of the scope of the *interim State Planning Provisions amendments* (see next section).
- If the State Government is given this new power, it means the public/Council involvement and previous input at the local level becomes null and void as the State Government's overlay maps would take precedence. As per the *Background Report for Consultation*, under the new process *council would request the Tasmanian Planning Commission to provide an exemption from the need to publicly exhibit the draft LPS amendment due it being for the purpose of removing an inconsistency between the LPS and the SPPs in accordance with section 40I(2)(b)(vi) of the LUPA Act.*
- The statewide nature of the Codes and Zones already shifts planning decision-making away from local communities and toward state-level standards, which many in the community already believe favours development over local character. This proposed change will further exacerbate these concerns.



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- The *Tasmanian Planning Scheme* often reduces the need for public notice and removes appeal rights for certain developments that comply with the Codes and Zones, limiting community say on local development. This proposed change will further exacerbate these concerns.
- Environmental and Heritage Protection: While codes offer protection, there are concerns that the new, standardized codes for biodiversity and heritage are weaker or harder to trigger than previous local schemes, potentially leading to increased development in sensitive areas. This proposed change will further exacerbate these concerns.



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2. Broader scope for interim State Planning Provisions amendments - Part 2 clause 5 of the draft Bill

PMAT DOES NOT SUPPORT THIS AMENDMENT

We do not support broadening the scope for making interim *State Planning Provisions amendments* under section 30NB of the *Land use Planning and Approvals Act 1993*. The *draft Bill* proposes to give the State Government broader discretion and thus more power.

Interim State Planning Provision amendments and *Interim planning directives* are functionally similar instruments in Tasmania's planning system as they both are designed to **modify planning rules across all existing, statewide planning schemes without undergoing the standard public consultation process**.

Both allow for immediate application by the Minister for Planning to make changes to planning rules that take effect immediately – literally overnight. Both **force immediate changes on all local councils and communities**. As per the examples outlined below, past *Interim planning directives* have been unilaterally imposed by the Planning Minister without any consultation with the community, Councils and professional planners, and have radically changed planning standards.

Immediately modifying planning rules on all planning schemes, without undergoing the standard public consultation process, can lead to many poor planning outcomes such as:

- **Ad hoc decision making:** Instead of following a structured, proactive plan, interim directives create a culture of improvisation. This makes them reactive (and at the whim for example of property developer interests) rather than long-term strategic planning;
- **Ignoring the big picture:** Interim measures tend to focus on immediate 'problems' rather than aligning with long-term strategic planning; and
- **Misalignment of goals:** Interim, top-down directives rarely integrate with existing long-term strategic planning.
- **Lack accountability/regulation.**

Examples of contentious *interim planning directives* implemented in Tasmania include:



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IPD No. 6 - Visitor Accommodation (2018): This directive, which came in literally overnight across Tasmania, amended standards for visitor accommodation in multiple zones across many municipal areas, defining it as the use of land for short/medium-term commercial accommodation (e.g., holiday units, B&Bs). The 2018 Visitor Accommodation Planning Directive (PD6) in Tasmania was considered detrimental by many because it eased restrictions on converting residential homes into short-stay accommodation (like Airbnb), which reduced the supply of long-term rentals, inflated housing prices, and caused amenity issues in residential neighbourhoods. The Anglicare Tasmania [Rental Affordability Snapshot 2026](#), released in May 2026, reveals a "dire" housing crisis with a 9% drop in rental listings compared to 2025 and 50% fewer available rentals than a decade ago. Vacancy rates are below 1% statewide, and the market is entirely out of reach for those on low or fixed incomes. The 2026 Anglicare Tasmania Rental Affordability Snapshot indicates a dire crisis with 0% affordability for low-income households. While the report focuses on long-term rental availability, related reports estimate over 3,900-8,000+ short-stay homes, with one source citing >8,000 in early 2026. Hobart is now one of the least affordable rental markets in Australia.

IPD No. 4 - Early Implementation of State Planning Provisions (2021): This Interim Planning Directive was issued by the Minister for Planning under section 12A(2)(a) of the former provisions of the *Land Use Planning and Approvals Act 1993* and came into effect on 22 February 2011. This directive introduced specific exemptions and application requirements from the newer State Planning Provisions (SPPs) into existing interim planning schemes. This directive was criticized in Tasmania for accelerating "pro-development" standards, such as allowing poor residential design (e.g., no required northern sunlight or green spaces), and rushing in rules without public consultation. Unilaterally imposed by the Planning Minister without any consultation with the community, Councils and professional planners, **IPD No. 4** radically changed planning standards with regards to residential developments. This also undermined the promised roll out of the statewide planning scheme as the interim planning directive did not include public comment. For example, the planning directive affected local residential standards including: No maximum limit on impervious surfaces (concrete or roof space) leading to increased potential flooding issues and hotter living environments; No requirement for sunlight into habitable rooms or gardens; Bigger sheds allowed with no permit required; and Removal of rear boundary setbacks impacting privacy and shadowing.



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3. Modifications to the Local Provisions Schedule criteria relating to Tasmanian Planning Policies and Regional Land use Strategies – Part 2 clause 6 and Part 31 clause 10 of the draft Bill

PMAT IS UNCLEAR OF OUR POSITION

PMAT is unclear of our position on changing the Local Provisions Schedule criteria in section 34 of the *Land use Planning and Approvals Act 1993* for the following reasons:

- We are unclear of the broad ramifications of changing the Local Provisions Schedule criteria relating to the Tasmanian Planning Policies and Regional Land Use Strategies.
- In regard to the hierarchy of Tasmania's planning instruments (Figure 1) we are unclear what occurs when lower order instruments are inconsistent with high order instruments. For example, we are concerned the *Tasmanian Planning Scheme* is inconsistent with the Tasmania's *State Coastal Policy*.

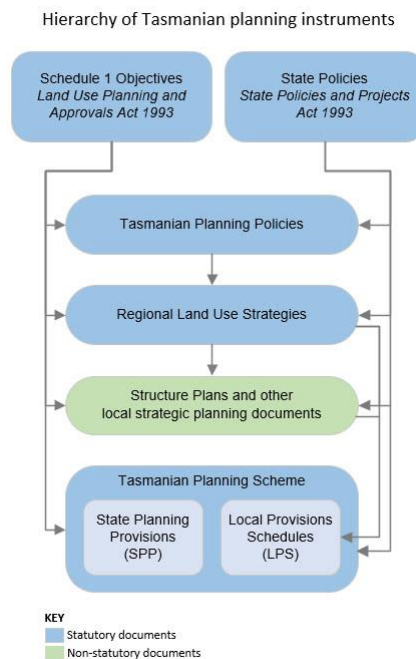


Figure 1 - hierarchy of Tasmania's planning instruments.



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4. Notification of satisfaction of additional information requests – Part 2 clause 7 of the draft Bill

PMAT SUPPORTS THIS AMENDMENT

This amendment proposes to clarify the process and timeframes for councils to give notice to an applicant when a request for additional information on a development application has been satisfied and when the assessment 'clock' recommences.

We support this amendment as a move in the right direction. It seems only fair that if an applicant satisfies a Planning Authority request for further information, that the Planning Authority is required to inform them.

However, what happens if the additional information provided by the applicant to Council is only partially satisfied? That is most of the information is satisfactory, but not all of it? There must be some ability for the Council to be able to say to the applicant that some of the required information remains outstanding.



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5. Clarification of timeframes under section 57 – Part 2 clause 8 of the draft Bill

PMAT SUPPORTS THIS AMENDMENT

This amendment clarifies the development application assessment timeframes when council offices are closed between Christmas and New Year.

We support this amendment.



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6. Long-term leases for renewable energy and other utility infrastructure – Part 3 clause 10 of the draft Bill

PMAT DOES NOT SUPPORT THIS AMENDMENT

The amendment proposed to modify the definition of ‘subdivision’ in the *Local Government (Building and Miscellaneous Provisions) Act 1993* to exclude a long-term lease relating to renewable energy infrastructure or other utility infrastructure from being considered a subdivision.

The *Background Report for Consultation* document for this Bill then goes on to say the following **[with PMAT’s bold comments added]**:

- *The Local Government (Building and Miscellaneous Provisions) Act 1993 deems a lease of land exceeding, or capable of exceeding, 10 years to be subdivision.*
- *This means that the lease is subject to the requirements for the approval of a plan of subdivision under Part 3 Division 2 of the Local Government (Building and Miscellaneous Provisions) Act 1993 and the Tasmanian Planning Scheme.*
- *There are unintended consequences with deeming long-term leases to be subdivision, particularly for renewable energy and other utilities infrastructure. **[But the ‘unintended consequences’ are not outlined].***
- *While the State Planning Office is not aware of any previous issues raised when issuing the long-term leases for wind farms projects already operating in the state, such as the wind farm at the Woolnorth Windfarm or Granville Harbour, there remains sufficient legal uncertainty which ought to be rectified. **[But the legal uncertainty referred to is not explained].***
- *The Background Report for Consultation document also states that Some other Australian states have also recently made similar changes to their legislation governing subdivision approvals. **[But they have not explained where, when and why].***

We do not support these amendments as there is no evidence or explanation as to why they are needed. What is the issue for ten-year leases to be considered as a subdivision?



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The *Background Report for Consultation* document does not comment on whether the original drafters of the *Local Government (Building and Miscellaneous Provisions) Act 1993* or the Minister in their clause notes and second reading speech provided an explanation for the exemptions and whether there was a reason for not including lease among the exemptions. Failure to investigate whether there are positive reasons for not including leases is of concern.



State Planning Office
Department of State Growth
GPO Box 536
Hobart TAS 7001

15 May 2026

By email to: haveyoursay@stateplanning.tas.gov.au

Re: Land Use Planning and Approvals Amendment (Miscellaneous Amendments) Bill 2026

To the State Planning Office,

The Australian Institute of Architects (the Institute) welcomes the opportunity to provide feedback on the proposed amendments to the *Land Use Planning and Approvals Act 1993* (LUPAA) through the Land Use Planning and Approvals Amendment (Miscellaneous Amendments) Bill 2026 (the Bill).

The Institute is the peak body for the architectural profession in Australia and represents over 13,000 members nationally, including a significant cohort practising in Tasmania. The Institute is committed to advancing the quality of the built environment for the benefit of all Tasmanians.

This submission builds on the Institute's previous contributions to planning reform in Tasmania, including submissions relating to the Southern Tasmania Regional Land Use Strategy (STRLUS)¹, the Northern Tasmania Regional Land Use Strategy², the Cradle Coast Regional Land Use Strategy³, and broader housing and planning system reforms.

1. OVERALL POSITION

The Institute broadly supports the intent of the Bill to improve the clarity, consistency, and efficiency of Tasmania's planning system.

In particular, the Institute acknowledges the value of:

- clarifying administrative processes within the Tasmanian Planning Scheme
- improving alignment between State Planning Provisions (SPPs), regional strategies, and Local Provisions Schedules (LPSs)

¹ Refer to the Institute's previous submissions relating to the STRLUS here: https://www.architecture.com.au/wp-content/uploads/20241218-AustInstArchsubmission_STRLUS-FINAL.pdf and here: https://www.architecture.com.au/wp-content/uploads/20260227-AustInstArchsubmission_STRLUS-FINAL.pdf

² https://www.architecture.com.au/wp-content/uploads/20260213-AustInstArchsubmission_NTRLUS-FINAL.pdf

³ https://www.architecture.com.au/wp-content/uploads/20260428-AustInstArchsubmission_CCRLUS-FINAL.pdf

- reducing ambiguity in development assessment timeframes and procedures

However, the Institute notes that the Bill is largely procedural in nature and does not address the critical need to embed design quality and place-based outcomes within the statutory planning framework.

The Institute therefore considers the Bill to represent a positive, but incomplete, step in the ongoing evolution of Tasmania's planning system.

2. SUPPORT FOR IMPROVED SYSTEM CLARITY AND ALIGNMENT

The Institute has consistently advocated for a planning system that is clear, coordinated, and accessible to practitioners, decision-makers, and the community.

The proposed amendments to streamline and clarify processes relating to:

- the amendment of Local Provisions Schedules
- the integration of regional land use strategies
- the operation of development assessment timeframes

are supported.

Greater alignment between planning instruments is particularly important in the Tasmanian context, where inconsistencies between strategic documents and statutory controls have historically resulted in inefficiencies, delays, and uncertainty for both applicants and authorities.

These reforms are expected to improve confidence in the system and assist architects in providing clearer and more reliable advice to clients.

3. EFFICIENCY AND TIMELINESS IN DEVELOPMENT ASSESSMENT

The Institute supports measures that improve the efficiency and predictability of development assessment processes, including clearer provisions relating to information requests and the management of statutory timeframes.

A more transparent and consistent approach to "clock stopping" and requests for further information will assist in reducing unnecessary delays and disputes.

However, the Institute emphasises that efficiency must be balanced with the need to maintain robust and considered assessment processes. Streamlining administrative procedures should not result in diminished scrutiny of proposals, particularly where design quality, urban context, and long-term place outcomes are concerned.

4. GOVERNANCE AND INTERIM AMENDMENTS TO STATE PLANNING PROVISIONS

The Bill proposes to broaden the capacity for interim amendments to the State Planning Provisions.

While the Institute recognises the need for the planning system to respond in a timely manner to emerging issues, it is important that such powers are exercised within a framework that ensures transparency, accountability, and appropriate expert input.

The Institute recommends that:

- clear criteria be established to guide when interim amendments are appropriate
- processes include appropriate levels of consultation and public transparency
- mechanisms are considered to incorporate design expertise, particularly where amendments may materially affect built form outcomes

Maintaining confidence in the planning system requires that expediency does not come at the expense of good governance.

5. DESIGN QUALITY AND PLACE OUTCOMES

The Institute notes that the Bill does not introduce any measures to strengthen the consideration of design quality within the planning system.

This represents a significant gap.

The Institute has consistently advocated for planning reform in Tasmania to:

- elevate the importance of design quality
- support well-designed medium and higher-density housing
- promote place-based outcomes that respond to local context and community needs

While improvements to administrative efficiency are welcome, they do not in themselves lead to better built environment outcomes.

The Institute encourages the Tasmanian Government to consider complementary reforms that embed design quality more explicitly within planning controls and assessment processes.

6. HOUSING SUPPLY AND SYSTEM PERFORMANCE

The Institute acknowledges that the Bill forms part of a broader program of reforms aimed at improving housing supply and system responsiveness.

Reducing unnecessary barriers within the planning system can contribute positively to housing delivery. However, the Institute reiterates that the provision of housing must be accompanied by a strong focus on:

- design quality and liveability
- amenity
- sustainability
- integration with infrastructure and services

A planning system that prioritises speed without these considerations risks delivering outcomes that do not meet the long-term needs of the Tasmanian community.

7. RENEWABLE ENERGY AND INFRASTRUCTURE

The Institute supports measures that facilitate the delivery of renewable energy infrastructure, including amendments that clarify that certain long-term leases are not to be treated as subdivision.

These changes are consistent with broader objectives to support climate transition and reduce unnecessary regulatory barriers to essential infrastructure.

8. RECOMMENDATIONS

The Institute recommends that the Tasmanian Government:

1. **Proceed with the proposed amendments** to improve clarity, consistency, and efficiency within the planning system.
2. **Ensure appropriate safeguards** accompany expanded powers for interim amendments to State Planning Provisions, including:
 - clear criteria for use
 - transparency and consultation requirements
3. **Integrate design quality considerations** into future stages of planning reform, including:
 - stronger statutory recognition of design outcomes
 - mechanisms for design review where appropriate
4. **Maintain a balanced approach** to planning reform that aligns efficiency with long-term place quality, liveability, and sustainability outcomes.

9. CONCLUSION

The Institute supports the intent of the Bill as a constructive step toward improving the operation of Tasmania's planning system.

However, the Institute emphasises that administrative reform alone is insufficient to achieve the high-quality built environment outcomes that Tasmanians expect and deserve.

Future reform efforts should build on this foundation by embedding design quality, place-based thinking, and good governance at the core of the planning system.

For further information, please don't hesitate to contact us.

Kind regards,

Daniel Lane
President, Tasmanian Chapter
Australian Institute of Architects

Jennifer Nichols
Executive Lead, Tasmanian Chapter
Australian Institute of Architects

The Australian Institute of Architects (Institute) is the peak body for the architectural profession in Australia. It is an independent, national member organisation with over 13,000 members across Australia and overseas. The Institute exists to advance the interests of members, their professional standards and contemporary practice, and expand and advocate the value of architects and architecture to the sustainable growth of our communities, economy and culture. The Institute actively works to maintain and improve the quality of our built environment by promoting better, responsible and environmental design. To learn more about the Institute, log on to www.architecture.com.au.



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 Property Council of Australia

22 May 2026

State Planning Office
C/- Department of State Growth

Email to: haveyoursay@stateplanning.tas.gov.au

RE : Draft LUPAA (Miscellaneous Amendments) Bill 2026

The Tasmanian Division of the Property Council of Australia's (PCA) has reviewed the Background Report and the LUPAA (Miscellaneous Amendments) Bill 2026 and supports the intent and drafting of the Bill. The changes appear commonsense and should resolve some of the issues that inevitably arise as ongoing changes are made to the planning system. The PCA views the proposed amendments as "housekeeping" matters that will make the framework operate more effectively and supports Bill in its entirety.

The Property Council is happy to discuss this matter in more detail if required. Please contact Tasmanian Executive Director, Michael Kerschbaum

Yours sincerely,

Michael Kerschbaum
Executive Director, Tasmania
Property Council of Australia