

# TASMANIAN PLANNING COMMISSION

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16 January 2026

The Hon Kerry Vincent MLC  
Minister for Planning

By email: [Minister.Vincent@dpac.tas.gov.au](mailto:Minister.Vincent@dpac.tas.gov.au)

Dear Minister

## **Advice on Draft Amendment 05-2025 of the State Planning Provisions**

I refer to the State Planning Office's letter of 24 November 2025, seeking on your behalf, advice from the Commission on whether draft amendment 05-2025 to the State Planning Provisions (SPPs) meets the minor amendment criteria under section 30NA(1) of the *Land Use Planning and Approvals Act 1993* (the Act). I note the draft amendment proposes to clarify that noise attenuation walls are part of standard road infrastructure upgrades and intended to be included as an exempt use and development under clause 4.2.4(b) of the SPPs.

Consideration as to whether the minor amendment criteria are met includes assessment of:

- the purpose of the amendment under section 30NA(1)(a); and
- whether the public interest will be prejudiced by the Commission not exhibiting, considering and reporting on the draft amendment in accordance with Subdivision 3 of the Act (section 30NA(1)(b)).

The Commission is of the opinion that the draft amendment meets the purpose described in section 30NA(1)(a)(iii) of the Act (clarifying or simplifying the SPPs) and considers that:

- clause 4.2.4 of the SPPs applies to maintenance, repair of roads and upgrading of road infrastructure, and expressly extends to a range of associated works, including those undertaken on roadsides;
- publications by recognised road-management bodies, for example, the *Austrroads Guide to Road Design Part 6B: Roadside Environment*, identify routine 'roadside' upgrades as encompassing measures such as stormwater control, noise mitigation and fauna-movement management;
- the management of roadsides to improve environmental outcomes is a normal and routine part of managing public roads and that such works are included in those exempt under the SPPs; and
- the reference to 'roadsides' in clause 4.2.4 of the SPPs includes works related to noise control, stormwater runoff, and management of fauna.

However, the Commission considers the draft amendment may be written in a manner that expands on the scope of what is included in 'roadsides', specifically that it includes works to control noise, stormwater runoff, and fauna. The following wording for the clause (b) of the exemption is therefore suggested:

*'(b) making, placing or upgrading kerbs, gutters, footpaths, shoulders, traffic control devices, line markings, street lighting, safety barriers, signs, fencing, landscaping and roadsides, including noise attenuation walls, water management and fauna control works, unless the Local Historic Heritage Code applies and requires a permit for the use or development; or'*

The Commission finds that the suggested amendment above is 'minor' for the purposes of section 30NA of the Act because it clarifies what works are included in the existing exemption.

Based on the information provided, the Commission is of the opinion that the public interest would not be prejudiced by Subdivision 3 of the Act not applying to the draft amendment.

Yours sincerely

A handwritten signature in black ink that reads "John Ramsay". The signature is written in a cursive style with a large initial "J" and a long, sweeping tail.

John Ramsay  
**Delegate (Chair)**

CC: State Planning Office