

FACT SHEET

Land Use Planning and Approvals (Amendment) Bill 2022

The Land Use Planning and Approvals (Amendment) Bill 2022 (the Bill) introduces refinements to the *Land Use Planning and Approvals Act 1993* (LUPA Act).

The amendments have been prepared to further improve the major projects assessment process.

The Bill includes the following amendments to the LUPA Act:

- information that is sensitive material is prevented from public display during the assessment process, for example culturally sensitive Aboriginal heritage information;
- updated references to legislation that has been repealed since the major projects process came into operation, such as the *Gas Pipelines Act 2000*;
- enabling easier public involvement in the major projects assessment process through better use of digital technology, for example by sharing information digitally.
- provide fairer outcomes for landowners who are not the proponent/developer but whose land is included within a major project declaration. The amendments will make it clearer to all involved that a landowner may still apply for a planning permit on their land and also when a major project is completed;
- enables the Tasmanian Planning Commission or the major projects assessment panel or a regulator to grant permission for site investigations to occur once a major project is declared and before the assessment criteria is finalised, in circumstances where the site investigation is necessary or must occur early to align with the seasonal survey requirements and the site investigations have been identified in the major project proposal;
- allow the major projects assessment panel to consider aspects of a proposed major project on land outside of the declared area and make recommendations to the Minister for Planning, where appropriate, to alter the declared area of the proposed major project;
- clarify that the major projects assessment process continues if regulators do not respond at various stages in that process when they are required to respond;
- provide the major projects assessment panel with more time to co-ordinate responses from regulators with an additional 14 days to make the final assessment criteria and an additional 14 days to prepare the initial assessment report;
- allow the major projects assessment panel to address any minor administrative errors that may have occurred during the assessment process including notifying any persons that may have not been included in earlier consultations and seeking their views before a final decision is made on the proposed major project;
- revise the current major project permit amendment processes to enable an additional process option that is relative to the scale of the proposed permit amendment. This is for permit amendments that are larger than a minor amendment but less complex than a significant amendment to a major project permit. This additional option will involve public exhibition of the proposed major project permit amendment and public hearings.

The Bill has been refined in response to consultation with local councils, state agencies and authorities; professional, industry, environmental, and community groups, and the independent Tasmanian Planning Commission.

