

FACT SHEET

Legislation and Regulatory Review (Building Tasmania) Bill 2026

Acts amended

The Bill amends five Acts:

- The *Cultural and Creative Industries Act 2017* (CCIA)
- The *Land Use Planning and Approvals Act 1993* (LUPAA)
- The *Local Government (Highways) Act 1982* (LGHA)
- The *Taxi and Hire Vehicle Industries Act 2008* (THVI Act)
- The *Training and Workforce Development Act 2013* (TWDA)

Cultural and Creative Industries Act 2017

The Bill amends section 9 of the CCIA to remove the requirement that expert panels comprise an uneven number of members.

The amendment reflects current assessment practices, whereby applications are assessed through an individual scoring process rather than by panel vote. As decisions are not determined by majority vote, the requirement for an uneven number of panel members is unnecessary.

The amendment will also provide greater administrative flexibility in the constitution of expert panels and reduce the risk of inadvertent non-compliance with the Act where a panel member is unavailable to participate in an assessment process.

The consequential amendment to section 9(3) updates the statutory reference following the removal of subsection (2).

Land Use Planning and Approvals Act 1993

The Bill amends LUPAA by removing an old reference to the *Land Surveyors Act 1909*, which was repealed in 2002. The reference is replaced with its modern equivalent – the *Surveyors Act 2002*.

It also corrects a minor punctuation error by replacing a full stop with a semi-colon.

Local Government (Highways) Act 1982

The Bill amends sections 6(2)(b), 7(2), 14(1)(b)(ii), 18(1)(b) and 20(1)(a)(i) of the LGHA to remove the requirement for councils to notify or consult the Transport Commission in certain circumstances and makes consequential amendments to section 125 to remove reference to this notice requirement.

Current circumstances for giving notice to the Transport Commission are:

- the opening, widening or extension of a highway by council (s 6(2)(b));
- the dedication of any land as a highway by council (s 7(2));
- the diversion or closure of a local highway or part of a local highway by council for the public benefit, in the interests of public safety or because of lack of use (s 14(1)(b)(ii));
- the making of a local highway order by a magistrate under sections 16 or 17 (s 18(1)(b)); and

- the closure of part of a local highway on a Saturday, Sunday or statutory holiday for no more than 12 hours by council for the purpose of providing a place for the sale of goods and entertainment (s 20(1)(a)(i)).

The current 28-day notice period reflects a time when the Transport Commission exercised a more active role in overseeing management of the road network due to technical expertise being concentrated within state government. Today, councils manage roads under their responsibility in accordance with statutory and other technical requirements and there is no longer a need for the Commission to be notified by councils.

Taxi and Hire Vehicle Industries Act 2008

All operators under Tasmania's taxi, chauffeured hire vehicle and ride sharing system are required to have accreditation. They also must have a licence or be operating using accredited ride-sourcing software. Together, these requirements ensure the safety of passengers. It is not enough to just be accredited.

Currently, section 91E(1) creates an offence for persons carrying paid passengers in small passenger vehicles unless under the authority of a licence (taxi, luxury hire car or restricted hire vehicle) or through accredited ride sourcing. Subsection (1)(e) is redundant because:

- it is already an offence to operate a passenger transport service without accreditation (section 10 of the *Passenger Transport Services Act 2011*); and
- subsections (1)(a) to (d) already cover each of the allowable passenger transport services for small passenger vehicles.

It also may inadvertently undermine the operation of the section by providing that holding accreditation is enough to avoid committing the offence, which is not the intention of the scheme.

The amendment clarifies the Act by omitting section 91E(1)(e).

Training and Workforce Development Act 2013

The amendments to the TWDA align the annual Performance Report date with key reporting indicators at a national level, to ensure greater relevancy of information and better alignment with national metrics.

The Minister for Skills and Jobs will have the power to appoint between 5 and 7 members to the Tasmanian Traineeship and Apprenticeship Committee to provide some flexibility in membership. This aligns with contemporary board practices.

Removing the administrative burden of requiring a decision by the Tasmanian Traineeship and Apprenticeship Committee where both the employer and the apprentice mutually agree to cancel the training contract.

Legislation repealed, revoked and rescinded

The Bill would also repeal, revoke and rescind a range of legislation which is redundant. In most cases this is because it has served a time-limited purpose, it has been incorporated into another Act or has been replaced.