

CLAUSE NOTES

State Policies and Projects Amendment Bill 2023

Key acronyms:

- Commission – Tasmanian Planning Commission
- SPP Act – *State Policies and Projects Act 1993*
- Minister – Premier

Clause 1	Cites the short title of the Act – the <i>State Policies and Projects Amendment Bill 2023</i>
Clause 2	Provides for the provisions of this Act to commence upon receiving Royal Assent.
Clause 3	Identifies the Principal Act as the <i>State Policies and Projects Act 1993</i> (SPP Act).
Clause 4	<p>Section 18 amended (Declaration of project of State significance)</p> <p>Inserts new subsection (3A) after subsection (3) that provides discretion for the declaration order for any project of State Significance to specify that the final approval order, made under section 26, has no effect until it has been approved by both Houses of Parliament.</p> <p>The new subsection (3A) also requires, in cases where the project is proposed by the Crown, including a government agency, or an entity, within the meaning of the <i>Financial Management Act 2016</i>, that the declaration order must specify that the final order, made under section 26, has no effect until it has been approved by both houses of Parliament. This effectively ensures that Parliament has a second opportunity to consider projects of this nature.</p>
Clause 5	<p>Section 26 amended (Recommendation to Minister on project of State significance)</p> <p>Inserts a new subsection 6A after subsection 6 and incidental amendments to subsections 6 and 8 to give effect to subsection 5A.</p> <p>The insertion of subsection (6A) provides that where a declaration order for a project of State Significance is made in accordance with new section 18(3A), the final approval order made by the Governor for the project is taken to be an order made under section 26(7), meaning it is of no effect until it is approved by both houses of Parliament</p>