

FACT SHEET

Land Use Planning and Approvals Amendment (Tasmanian Planning Policies and Miscellaneous Amendments) Bill 2018

The Land Use Planning and Approvals Amendment (Tasmanian Planning Policies and Miscellaneous Amendments) Bill 2018 (the Amendment Bill) amends the *Land Use Planning and Approvals Act 1993* (LUPAA) by establishing a mechanism to make and amend a suite of Tasmanian Planning Policies (TPPs) to provide strategic direction on matters of state interest within Tasmania's land use planning system.

The Amendment Bill also makes a number of administrative changes to LUPAA and the *Tasmanian Planning Commission Act 1997* (TPC Act) aimed at streamlining the Local Provisions Schedules (LPSs) assessment process; improving the functionality of LUPAA and the TPC Act; and further aligning these Acts with the Government's planning reform agenda.

The new TPPs will be prepared to support the Objectives of Tasmania's Resource Management and Planning System, as set out in LUPAA. The TPPs will aim to support economic growth, and plan for the future needs of the community. While TPPs can cover a broad range of issues, the initial suite will focus on issues such as economic development, settlement and livable communities, transport and infrastructure, cultural and natural heritage, and hazards and risks. Under the process established through the Amendment Bill, draft TPPs will be released for public consultation and undergo a statutory reporting process that is facilitated by the independent Tasmanian Planning Commission (the Commission) before being made.

The TPPs will not contain rules or criteria that apply 'directly' to the determination of individual permit applications or related matters routinely considered and determined by planning authorities and other bodies under the Tasmanian Planning Scheme. Rather, they will inform the land use planning system in Tasmania and have effect through either the Regional Land Use Strategies, the State Planning Provisions (which were made on 22 February 2017), or the LPSs that are currently being developed by local planning authorities. Each TPP will specify the manner in which it will apply to the land use planning system.

The Amendment Bill ensures that any TPPs that are prepared are consistent with State Policies made under that *State Policies and Projects Act 1993* and further the RMPS Objectives that are set out in Schedule 1 of LUPAA. The Amendment Bill also provides that the Minister will prepare the draft TPPs in consultation with the Tasmanian Planning Commission (the Commission), planning authorities and relevant State agencies and authorities.

Responsibility for developing the content of the TPPs will sit with the Minister for Planning. However, the Minister may administratively draw on the skills and expertise of the community in developing the draft TPPs. The independent Commission will have a role in undertaking statutory processes such as public exhibition, and the preparation of a summary report of written submissions on the draft TPPs and whether the draft TPPs meet the 'TPP criteria' that are set out in the Amendment Bill.

The Amendment Bill also makes a number of administrative changes to LUPAA and the TPC Act to streamline and expedite the LPS assessment process.

The legislation to facilitate the development of the TPPs delivers on the Government's commitment to develop policies that provide strategic direction to the land use planning system.

The additional administrative changes to LUPAA and the TPC Act also deliver on the Government's commitment to streamline the LPS assessment process and improve the functionality of LUPAA and the TPC Act.