

TASMANIA

**LAND USE PLANNING AND APPROVALS
AMENDMENT (SUPPORTING DEVELOPMENT)
BILL 2024**

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**LAND USE PLANNING AND APPROVALS
AMENDMENT (SUPPORTING DEVELOPMENT)
BILL 2024**

*(Brought in by the Minister for Housing and Planning, the
Honourable Felix Ashton Ellis)*

A BILL FOR

An Act to amend the *Land Use Planning and Approvals Act 1993*

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Land Use Planning and Approvals Amendment (Supporting Development) Act 2024*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

3. Principal Act

In this Act, the *Land Use Planning and Approvals Act 1993** is referred to as the Principal Act.

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4. Section 42C amended (When permit that relates to LPS amendment takes effect)

Section 42C of the Principal Act is amended as follows:

- (a) by omitting from subsection (2)(c) “subsection (5).” and substituting “subsection (5); or”;
- (b) by inserting the following paragraph after paragraph (c) in subsection (2):
 - (d) 8 years after the date on which the permit is granted, if the Minister has granted a further extension under subsection (7A).
- (c) by inserting the following subsection after subsection (7):
 - (7A) The Minister may grant, only once, a further extension of a permit that would otherwise lapse under subsection (2)(c) if –
 - (a) the Minister is satisfied that, due to the technical or complex nature of the use or development in respect of which the permit was granted, the use or development is not, or is unlikely to be, substantially commenced before the permit would

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otherwise lapse under
subsection (2)(c); and

- (b) the further extension of
the permit, by the
Minister, would enable
that use or development to
substantially commence.

**5. Section 53 amended (When does a permit take
effect?)**

Section 53 of the Principal Act is amended as
follows:

- (a) by omitting from subsection (5)(c)
“subsection (5A).” and substituting
“subsection (5A); or”;
- (b) by inserting the following paragraph after
paragraph (c) in subsection (5):
 - (d) if the Minister has granted a
further extension under
subsection (5D), at the end of a
further period of 2 years from the
end of the further period of 2
years for which the permit was
extended under subsection (5B).
- (c) by inserting the following subsection
after subsection (5C):
 - (5D) The Minister may grant, only
once, a further extension of a

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permit that would otherwise lapse
under subsection (5)(c) if –

- (a) the Minister is satisfied that, due to the technical or complex nature of the use or development in respect of which the permit was granted, the use or development is not, or is unlikely to be, substantially commenced before the permit would otherwise lapse under subsection (5)(c); and
- (b) the further extension of the permit, by the Minister, would enable that use or development to substantially commence.

6. Repeal of Act

This Act is repealed on the first anniversary of the day on which it commenced.