

## STREAMLINED AMENDMENT PROCESS

*The proposed Bill will provide a streamlined process for amending planning schemes.*

*This process will apply to all planning schemes under the Act, and replace the dispensation process for interim planning schemes.*

*The changes are an important step towards achieving a fairer, faster, cheaper and simpler planning system for Tasmania.*

*The changes will also support finalisation of the interim planning schemes in 2015, in preparation for introducing a single statewide planning scheme approach.*

### How are planning schemes amended now?

The *Land Use Planning and Approvals Act 1993* (LUPAA) sets a process for amending planning schemes, including where a permit has been applied for at the same time.

This process applies where an applicant has requested an amendment, and where a council has initiated an amendment on its own motion.

The Commission can dispense with the requirements for public exhibition of a draft amendment in certain circumstances.

The Minister can also authorise the Commission to make 'urgent amendments' to an interim planning scheme in certain circumstances.

There is a process for seeking dispensations from the planning controls in interim schemes. Dispensations may require the scheme to be modified before it is made into a final scheme, or an amendment to the final scheme after it has been made.

### Why are the changes needed?

There are currently different processes for amending interim schemes and other planning schemes, and different sets of criteria for when an amendment can occur without public exhibition and hearings.

Consolidating the different provisions will simplify the processes for amending a planning scheme and reduce the timeframe for these applications to be determined.

The changes will also support finalisation of the interim planning schemes as a platform for transitioning to a single statewide planning scheme outcome.

## What will change?

The Act will be simplified to create a single process for amendments to all planning schemes and a single set of criteria to determine which amendments do not require public exhibition.

The timeframes for certain parts of the amendment processes under the Act will also be reduced.

There will be a clearer process for requiring additional information from an applicant with a set timeframe and avenues for resolving the requirement for additional information.

The Commission will be able to determine the form of an application, to give greater clarity to all parties on what information can be required from applicants.

The current structure of interim schemes with mandatory planning provisions will be retained as a basis for introducing the new statewide planning scheme provisions.

The Minister will continue to approve any changes to the content of the common provisions on advice of the Commission, through a separate process.

The public exhibition period for draft amendments, including any associated development application, will also be shortened.

However, the Commission will be able to approve a longer public exhibition period where appropriate, to provide flexibility for complex or significant amendments to give the parties adequate time to make representations.

Further changes are required to make the hearings on representations more flexible, including the ability for the Commission to determine a matter based only on written submissions. The applicant will retain their current right to a hearing.

## What will happen to any amendments or dispensations that are currently underway?

The Act contains transitional provisions for draft amendments to a planning scheme that are not decided before an interim planning scheme is made.

These provisions will continue, and will be expanded to include any amendments subject to the dispensation process.

### Fact Sheets Available

1. Overview, 2. Interim Planning Schemes, 3. Streamlined Amendment Process, 4. Other Amendments

*This fact sheet reflects the proposed changes the Government is consulting on through the Planning Reform Taskforce*