

OTHER AMENDMENTS

The proposed Bill will implement a number of the Government's announced planning reforms and recommendations of the Planning Reform Taskforce aimed at streamlining and improving the planning system.

Changes will also be made to the Local Government (Building and Miscellaneous Provisions) Act 1993 in relation to subdivision developments.

These changes are an important and early contribution to achieving a fairer, faster, cheaper and simpler planning system for Tasmania.

Why are the changes needed?

The proposed changes will deliver on Government's commitments to introduce shorter assessment timeframes for permitted use and development and to increase fees for certain third party appeals on discretionary planning approvals.

The proposed changes will implement the specific recommendations of the Taskforce on those planning issues that should be most urgently addressed.

What will change?

The following changes to LUPAA are proposed:

- a shorter assessment timeframe of 21 days for permitted use and development;
- a higher \$600 appeal fee for certain third parties on discretionary permits;
- allowing interim planning directives to replace or revoke existing planning directives;
- allowing councils to extend a permit for an additional 2 years;
- providing copyright and indemnity protection for making data on planning schemes available online;
- extending the provision for the reconstruction of accidentally destroyed buildings and works to include conforming uses; and
- clearer provisions for where minor amendments to permits can occur

The *Local Government (Building and Miscellaneous Provisions) Act 1993* will also be amended so that a planning scheme can allow subdivision to be a permitted development. At present, the LGBMP Act makes all subdivisions discretionary.

The shorter assessment timeframe of 21 days, rather than the current 42 days for permitted use and development will allow applicants to receive approval quickly for the types of use and development that a planning scheme clearly allows for.

The timeframe for a council to require additional information for permitted use and development will also be reduced, from 21 to 14 days.

A higher fee of \$600 will apply to third party appeals on discretionary permits. This higher fee will not apply to applicants, or third parties who are owners and occupiers of adjoining lands that may be impacted by a development.

The current provision where a planning scheme cannot prevent reconstruction of buildings and works that have been unintentionally destroyed or damaged will be extended to include conforming uses.

This seeks to address an issue that arose following the January 2013 bushfires where there were different requirements

for owners seeking to rebuild their homes under different planning schemes.

Changes will be made to support a digital online planning system by clarifying how digital data can be used and providing indemnity for Government, councils and licensed users in relation to copyright.

The changes will allow an interim planning directive to 'replace' an existing planning directive. This seeks to address an issue with the Act where an interim planning directive can only be made if there is no existing planning directive on that issue.

Councils will have discretion to extend a permit for an additional two years, giving a maximum of six years for substantial commencement of a development.

This change recognises that delays in project financing have in some cases led to an entire new development application being required where the term of a permit has expired just prior to financing being achieved.

A clearer mechanism will also be provided for minor amendments to permits including where the permit has resulted from an appeal process. This will mean an applicant is not required to lodge an entire new development application for a minor change to an existing permit.

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