

# Housing Land Supply Amendment Bill 2021

## Consultation Information Pack

July 2021



# TABLE OF CONTENTS

How to make a submission.....	4
Enquiries and briefings.....	4
1. Introduction .....	5
2. Glossary.....	5
3. Overview of the draft Bill .....	6
4. Previous consultation on the draft Bill.....	7
5. The draft Bill in detail .....	7
5.1 Broadened scope of eligible government land .....	7
5.1.1 Land owned by Tasmania Development and Resources.....	8
5.1.2 Land recently obtained by the Director of Housing.....	8
5.2 Application to land within Flinders municipality.....	9
5.3 Consistency with assessment criteria under the LUPA Act.....	10
5.4 Transparency for decisions to not proceed with a proposed Order .....	10
APPENDIX 1 - OVERVIEW OF THE HOUSING LAND SUPPLY ACT .....	12
APPENDIX 2 - CONSULTATION REPORT .....	16

## How to make a submission

Submissions can be made in writing until close of business on **Wednesday, 1 September 2021** via:

1. the Department of Justice [Community Consultation website](#);
2. email to [haveyoursay@justice.tas.gov.au](mailto:haveyoursay@justice.tas.gov.au); or
3. post to:

Department of Justice  
Office of the Secretary  
GPO Box 825  
HOBART TAS 7001

## Enquiries and briefings

Any enquires or requests for briefings can be directed to the Planning Policy Unit at [Planning.Unit@justice.tas.gov.au](mailto:Planning.Unit@justice.tas.gov.au) or by telephoning (03) 6166 1429.

# 1. Introduction

The *Housing Land Supply Act 2018* (the HLS Act) was developed following the then Premier's Housing Summit in 2018. It introduced a more direct process for rezoning and modifying planning scheme requirements for eligible government land to facilitate housing, particularly for affordable and social housing developments.

The HLS Act targets land that is suitable for residential purposes and the provision of affordable housing through the making of Housing Land Supply Orders (Orders). It replaces the standard planning scheme amendment processes under the *Land Use Planning and Approvals Act 1993* (the LUPA Act) providing shorter timeframes for the assessment and approval of specific land, while still maintaining the same rigorous assessment criteria for determining the suitability of the land for residential development<sup>1</sup>.

To date, five Housing Land Supply Orders (Orders) have been made under the HLS Act for land across all the three regions in the State at Rokeby, West Moonah, Devonport, Newnham and Huntingfield. A total of around 40ha has now been rezoned for housing purposes and transferred to the Director of Housing under *Homes Act 1935*<sup>2</sup>. Currently, three more draft Orders are being progressed for areas in Burnie and Warrane to further assist with the Director of Housing's work program for providing more affordable and social housing options for Tasmanians.

At the time of introducing the HLS Act, there was strong demand for housing in Tasmania. This demand has only been further amplified in recent times with significant house and rental price rises and increased demand for housing in general. The impacts of the COVID-19 pandemic have also driven demand for housing in regional areas of Australia outside the major mainland cities.

With the continued demand for housing, more needs to be done across of number of sectors with intervention ranging beyond the planning system. However, further assistance can be provided through the HLS Act with more government land being made eligible for consideration. The draft Housing Land Supply Amendment Bill 2021 (the draft Bill) aims to achieve this.

## 2. Glossary

The following acronyms and abbreviations are used in this report.

---

<sup>1</sup> More information on the *Housing Land Supply Act 2018* is available in [Appendix 1](#) and on the [Tasmanian Planning Reform website](#).

<sup>2</sup> The *Homes Act 1935* establishes the legal framework under which the Director of Housing provides housing assistance and support services for 'eligible persons' in Tasmania. More information is available on the [Department of Communities Tasmania website](#).

draft Bill	–	Housing Land Supply Amendment Bill 2021
Homes Act land	–	land owned, vested in, or held by the Director of Housing under the <i>Homes Act 1935</i>
HLS Act	–	<i>Housing Land Supply Act 2018</i>
LPS	–	Local Provisions Schedule
LUPA Act	–	<i>Land Use Planning and Approvals Act 1993</i>
Orders	–	Housing Land Supply Orders
SPPs	–	State Planning Provisions

### 3. Overview of the draft Bill

The draft Bill proposes amendments to the HLS Act to broaden the scope of eligible government land in order to deliver more affordable and social housing in Tasmania under the *Homes Act 1935*. It also better aligns the assessment criteria with the normal assessment process under the LUPA Act and improves transparency for decision making.

The amendments proposed to the HLS Act:

- broaden the scope of eligible government land, to include land:
  - owned by Tasmania Development and Resources prior to the HLS Act coming into effect; and
  - obtained by the Director of Housing (that was not previously eligible government land) since the HLS Act came into effect, with a broader and longer public consultation period for any proposed Orders;
- enable the consideration of an Order for eligible government land within the Flinders municipality;
- better align the assessment criteria with LUPA Act in relation to the current regional land use strategies and the future Tasmanian Planning Policies; and
- improve transparency in the decision-making process if the Minister determines not to proceed with a proposed Order following consultation.

## 4. Previous consultation on the draft Bill

Targeted consultation was previously undertaken on the draft Bill over a 12 week period between 13 November 2020 and 5 February 2021. Feedback was invited from a total of 74 stakeholder groups including all councils, as well as State agencies and authorities, industry, professional, environmental, and community groups, and the Tasmanian Planning Commission.

Consultation was undertaken in conjunction with consultation on the draft Land Use Planning and Approvals (Tasmanian Planning Scheme Modification) Bill 2021.

Details on the issues raised in the submissions and responses are contained in the Consultation Report in [Appendix 2](#).

## 5. The draft Bill in detail

### 5.1 Broadened scope of eligible government land

Demand for housing in Tasmania is increasing, with demand for affordable and social housing being more acute now than when the HLS Act was introduced in 2018. Further assistance can be provided through the HLS Act with more government land being made eligible for consideration.

Currently, the HLS Act only allows certain government land to be considered for an Order. This is limited to land that was owned, vested in, or held by the Director of Housing under the *Homes Act 1935* (referred to as Homes Act land), or was Crown land, before the HLS Act commenced in 2018. It also excludes land that is:

- reserved under the *Nature Conservation Act 2002*;
- managed under the *National Parks and Reserves Management Act 2002*;
- managed under the *Wellington Park Act 1993*;
- permanent timber production zone land under the *Forest Management Act 2013*; or
- future potential production forest land under the *Forestry (Rebuilding the Forest Industry) Act 2014*.

The HLS Act was originally intended for surplus government land or land already owned or managed by the Director of Housing. However, with a number of Orders now made, the availability of suitable, eligible government land is limited, and more needs to be done to assist with the Tasmania's acute housing shortage.

Having a broader range of government land eligible for consideration under the HLS Act will further assist the Director of Housing's work program by delivering more land for affordable housing sooner.

The draft Bill captures two additional types of government land for consideration as an Order:

- land owned by Tasmania Development and Resources; and
- land obtained by the Director of Housing after the HLS Act came into effect.

The draft Bill retains the same exclusions for reserved and forestry land, as outlined above, and assessment criteria. A broader and longer public consultation period is also proposed for any land recently obtained by the Director of Housing, consistent with the current planning scheme amendment processes under the LUPA Act.

### *5.1.1 Land owned by Tasmania Development and Resources*

*(Refer to sections 4 and 5 of the draft Bill - amended section 3 and new section 5(5) of the HLS Act)*

The draft Bill enables land owned by Tasmania Development and Resources (a Tasmanian government entity) to be considered for an Order under the HLS Act. This land was unintentionally excluded from the original HLS Act as it was thought at the time to be Crown land as defined under the *Crown Lands Act 1976*. While technically not Crown Land, it is land owned by the State Government.

Tasmania Development and Resources currently owns around 40 land parcels across Tasmania, with the majority being small sections of rural roads or road reserves, which would not be suitable for residential purposes. Others are reserved land and therefore cannot be considered under the HLS Act.

The only properties that are potentially suitable for consideration as an Order are those that form part of the Launceston Techno Park at Kings Meadows (two parcels) or the Hobart Techno Park at Dowsing Point (two parcels). These are located within the existing urban footprints of Launceston and Hobart.

Land within the Techno Parks would only be considered if determined to be surplus to current and future needs and suitable for residential purposes under the criteria of the HLS Act. The draft Bill requires the Tasmanian Development Board, established under the *Tasmanian Development Act 1983*, to give consent for any such land to be considered for an Order.

### *5.1.2 Land recently obtained by the Director of Housing*

*(Refer to sections 5, 7, 8 and 9 of the draft Bill – amended sections 5(1)(b), 9(3) and 10(2), and new section 13A of the HLS Act)*

The draft Bill proposes to broaden the scope of eligible government land to include land obtained by the Director of Housing under the *Homes Act 1935* (Homes Act land) after the commencement of the HLS Act. This is proposed in response to comments received during the initial consultation

on the draft Bill, specifically the need to promote more affordable housing through planning schemes.

Currently, an Order can only be considered for land that was Crown land or Homes Act land before the HLS Act came into effect in July 2018. The draft Bill requires broader and longer consultation period to be undertaken for a proposed Order that relates to recently obtained Homes Act land. Full public consultation is required for a 28-day period consistent with the processes for rezoning land under the Local Provisions Schedule (LPS) amendment process in the LUPA Act. This is in addition to the consultation required with 'interested persons' which is applicable to all other eligible government land under current Division 2 of the HLS Act.

For recently obtained Homes Act land, the Minister, in addition to the current requirements for consulting with 'interested persons', must:

- place the proposed Order, and the reasons for proposing the Order, on public exhibition for a period of 28 days and seek submissions;
- place two newspaper advertisements on the proposed Order (one before the public exhibition commences and one during); and
- make the proposed Order available for viewing:
  - on the Department of Justice's website;
  - at the council office within the municipality to which it relates; and
  - a Service Tasmania shop in proximity to the land proposed in the Order.

To be eligible under the HLS Act, the recently obtained land must meet the same criteria, in that it must not be reserved or forestry land, and must satisfy the same planning requirements as all other government land.

## 5.2 Application to land within Flinders municipality

*(Refer to sections 5 and 6 of the draft Bill – new sections 5(6), 6(3), and 6(4) of the HLS Act)*

The draft Bill enables land within the Flinders municipality to be considered for an Order under the HLS Act subject to modified assessment criteria.

The lack of public transport and reticulated services on Flinders Island currently limit the consideration of an Order under the HLS Act criteria. The proposed changes allow for the consideration of land on Flinders Island by:

- excluding the need for such land to be proximate to public transport; and
- allowing for land to be included within the Residential Zone under the Flinders Planning Scheme 2000, or the Low Density Residential Zone or the Village Zone under the

Tasmanian Planning Scheme, provided the Minister is satisfied land can be provided with adequate water supply, wastewater treatment and stormwater management.

The changes provide rezoning opportunities for affordable and social housing developments to meet the needs of the small communities on Flinders Island, such as Lady Barron, as identified by the Department of Communities Tasmania.

It is not intended at this point to broaden the scope to all other small communities in Tasmania. The change is specifically aimed at the Flinders Island communities taking into account the unique circumstances that exist as acknowledged under the Northern Tasmania Regional Land Use Strategy.

### 5.3 Consistency with assessment criteria under the LUPA Act

*(Refer to section 6 of the draft Bill – amended section 6(1)(a) of the HLS Act)*

Currently, there are inconsistencies in the assessment criteria between the HLS Act and the LUPA Act for considering rezoning proposals, specifically in relation to regional land use strategies and the future Tasmanian Planning Policies.

To make an Order under the HLS Act, the Minister must be satisfied that it is 'consistent' with the regional land use strategy. By contrast the criteria under the LUPA Act requires a proposal to change the zoning of land to be 'as far as practicable' consistent with the regional land use strategy. The HLS Act assessment criteria also makes no reference to the Tasmanian Planning Policies.

The inconsistencies arose following amendments to the LUPA Act in December 2018 which established the framework for making the Tasmanian Planning Policies, and amended the assessment criteria for rezoning proposals. The amendments to the LUPA Act postdate the HLS Act, which came into effect in July 2018.

The draft Bill delivers consistency between the HLS Act and the LUPA Act assessment criteria by requiring a rezoning proposed as part of an Order to:

- be, as far as practicable, consistent with relevant regional land use strategy; and
- satisfy the relevant criteria in the Tasmanian Planning Policies, once made.

### 5.4 Transparency for decisions to not proceed with a proposed Order

*(Refer to section 9 of the draft Bill – new section 13B of the HLS Act)*

The current processes under the HLS Act ensures there is transparency when a proposed Order proceeds through consultation and consideration through Parliament. When consulting on the proposed Order, the Minister must provide a statement of reasons on why it is proposed. Additionally, the Minister must table the statement of reasons in Parliament, along with:

- a copy of each submission received;
- the Minister's opinion on each submission;
- if the proposed Order has been altered, a statement as to how and why it was altered; and
- any other information that the Minister considers relevant to the proposed Order.

However, The Minister, after considering the submissions received during consultation, may determine to not proceed with a proposed Order. This may be due to the Minister being no longer satisfied that it meets the criteria under the HLS Act. Currently, there is no requirement for the Minister to give reasons for this decision.

The draft Bill provides transparency in the decision-making process if determined not to proceed with a proposed Order by requiring the Minister to:

- issue a notice outlining the reasons for the decision;
- provide the notice to all 'interested persons' and any person who made a submission; and
- make the notice available, along with all submissions received, on the Department of Justice's website.

This delivers transparency in the decision making process, consistent with the making of an Order.

# APPENDIX 1

## OVERVIEW OF THE HOUSING LAND SUPPLY ACT

### Purpose

The HLS Act was introduced in response to the then Premier's Housing Summit in March 2018. It provides a more direct process for rezoning and modifying planning scheme requirements to deliver housing, particularly affordable and social housing, on suitable government land. It provides assistance in alleviating the acute housing shortage and will continue to be used until it ceases to have effect in July 2023.

The HLS Act enables the making of an Order to rezone, or modify the planning scheme requirements for, eligible government land for housing.

### Roles and Responsibilities

The Minister for Planning is responsible for preparing, consulting on, and making an Order under the HLS Act.

The Parliament of Tasmania (the House of Assembly and the Legislative Council) has a role in considering a proposed Order and may disallow it.

The Tasmanian Planning Commission is responsible for making amendments to the relevant planning scheme to implement an Order.

The local council (as the planning authority) will assess any development applications relating the subdivision of land and the construction of houses after the making of an Order.

### Eligible Land

The current HLS Act only allows certain government land to be considered for an Order. This is limited to land that was owned, vested in or held by the Director of Housing, or was Crown land, before the HLS Act commenced in 2018. It also excludes land that is:

- reserved under the *Nature Conservation Act 2002*;
- managed under the *National Parks and Reserves Management Act 2002*;
- managed under the *Wellington Park Act 1993*;
- permanent timber production zone land under the *Forest Management Act 2013*; or

- future potential production forest land under the *Forestry (Rebuilding the Forest Industry) Act 2014*.

## Assessment Criteria

The HLS Act sets a range of planning criteria for determining the suitability of the land and the intended zoning. These criteria must be satisfied to make an Order and include the Minister being satisfied of the following:

- there is a need for land to be made available for housing under the Homes Act to deliver affordable housing;
- the land is suitable for residential use and is appropriately located in proximity to public and commercial services, public transport and employment opportunities;
- the intended zone is consistent with the State Policies, the relevant regional land use strategy, and furthers the Schedule 1 objectives of the LUPA Act;
- the use and development of the land for residential purposes would not be significantly restricted by any codes that apply to the land under the relevant planning scheme;
- that it has regard to any Guidelines issued under section 8A of the LUPA Act;
- the environmental, economic and social effects, and the effect on Aboriginal and cultural heritage have been adequately considered;
- the intended zone would not be likely to create any significant land use conflicts; and
- the intended zone enables the land to be developed at least to a suburban density (consistent with the SPPs General Residential Zone).

## Consultation and Submissions

The Minister, in preparing an Order, must consult with 'interested persons' prescribed in the HLS Act. These are:

- the relevant planning authority (the local council), and any adjacent planning authority the Minister considers may be affected by the proposed Order;
- State agencies that the Minister considers have an interest in the proposed Order;
- State authorities, or other entities, that are likely be required to provide water, sewerage, telecommunications, electricity or gas to the land, or may have its services affected by the proposed Order;
- the owners or occupiers of land adjoining the proposed Order;
- the owners or occupiers of any other land that the Minister considers may be affected by the proposed Order; and

- the Tasmania Fire Service, the Tasmanian Heritage Council, and the Aboriginal Heritage Council.

The Minister in consulting with 'interested persons' must give written notice of a proposed Order. The written notice must:

- contain a copy of the proposed Order and a statement of the reasons why the Minister wants to make the proposed Order; and
- invite submissions on the proposed Order.

Submissions on a proposed Order must be received within 14 days of receiving the notice, or a longer period allowed by the Minister. The submissions may relate to the following:

- the suitability of the land for residential use;
- the suitability of the zoning intended for the land; and
- the suitability of any the planning controls that will apply to the land.

## Parliamentary Scrutiny

Before making an Order, the Minister must table the proposed Order in both Houses of Parliament (the House of Assembly and the Legislative Council). The documentation tabled must include:

- the proposed Order and a statement of the reasons why the Minister wants to make the proposed Order;
- a copy of each submission received;
- the Minister's opinion on each submission;
- if the proposed Order has been altered, a statement as to how and why it was altered; and
- any other information that the Minister considers relevant to the proposed Order.

There is a 5 sitting day period in which both Houses of Parliament may disallow a proposed Order. The Minister may make the Order after the end of the disallowance period in both Houses of Parliament.

## Making of the Order and Amending the Planning Scheme

The making of an Order requires the Minister publish a notice in the Gazette with an effective date.

The Minister directs the Tasmanian Planning Commission to make the necessary amendments to the relevant planning scheme to implement the made Order.



# APPENDIX 2

## CONSULTATION REPORT

# Housing Land Supply Amendment Bill 2021

## Consultation Report

July 2021



# TABLE OF CONTENTS

1.	Introduction .....	4
2.	Glossary.....	4
3.	Consultation.....	4
4.	Summary of revisions.....	5
5.	Summary of issues raised in the submissions .....	5
5.1	Eligible Land – Tasmanian Development and Resources land .....	5
5.2	Consistency with the Land Use Planning and Approvals Act.....	6
5.3	Application to Flinders municipality .....	6
5.4	Additional comments .....	7
6.	Next steps .....	8

# 1. Introduction

This report has been prepared by the Department of Justice’s Planning Policy Unit to outline the response to the submissions received during the targeted consultation on the draft Housing Land Supply Amendment Bill 2021 (the draft Bill) undertaken in late 2020 and early 2021.

The draft Bill proposes amendments to the *Housing Land Supply Act 2018* (the HLS Act) to help increase the supply of land for affordable and social housing and improve the assessment processes for Housing Land Supply Orders (Orders). This, along with a range of other instruments, will assist in addressing the ongoing acute demand for housing in Tasmania.

Consultation was undertaken on the draft Bill for a 12 week period with a targeted stakeholder group commencing in late 2020.

The feedback received was very constructive and informed a number of important revisions to the draft Bill. Submissions to each component of the Bill are summarised and responded to, including information on the changes made in response.

# 2. Glossary

The following acronyms and abbreviations are used in this report.

Commission	–	Tasmanian Planning Commission
draft Bill	–	Housing Land Supply Amendment Bill 2021
HLS Act	–	<i>Housing Land Supply Act 2018</i>
LUPA Act	–	<i>Land Use Planning and Approvals Act 1993</i>
Orders	–	Housing Land Supply Orders

# 3. Consultation

Targeted consultation on the draft Bill was open for 12 weeks between 13 November 2020 and 5 February 2021. The consultation was undertaken in conjunction with the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Modification) Bill 2021.

Feedback was invited from a total of 74 groups including all councils, as well as State agencies and authorities, industry, professional, environmental, and community groups, and the independent Tasmanian Planning Commission (the Commission).

A total of 19 submissions (25% of those invited) were received on both Bills from five councils, six State agencies or authorities, five industry groups, and three community groups. Of these, six (32%) expressed support or had nothing to raise. Of the remaining 13 submissions (17% of those invited), five submissions offered comment on the draft Bill.

## 4. Summary of revisions

Consideration of the submissions received has resulted in the following revisions being made to the draft Bill:

- broadening the scope of eligible government land to include land obtained by the Director of Housing since the commencement of the HLS Act, with a broader and longer public consultation period for any proposed Orders;
- requiring consent from the Tasmanian Development Resources Board for any Order that applies to their land;
- requiring consistency with the future Tasmanian Planning Policies as well as being 'as far as practicable consistent' with the relevant regional land use strategy; and
- improving transparency in the decision-making process if the Minister determines not to proceed with a proposed Order following consultation.

## 5. Summary of issues raised in the submissions

Five submissions made comment on the draft Bill. In general these submissions indicated support but provided thoughts on clarifications that could be made.

### 5.1 Eligible Land – Tasmanian Development and Resources land

Feedback included that:

- it would help to know how much land and how many parcels of land are involved;
- consideration is given to avoid the potential for future land use conflict and development at resource extraction sites or development areas; and
- declaration of any Tasmanian Development Resources land should require consent from the Tasmanian Development Board.

Land owned by Tasmania Development and Resources (a Tasmanian Government entity) was unintentionally excluded from the original HLS Act. While technically not Crown Land, it is land owned by the Government.

The majority of Tasmania Development and Resources land is sections of rural roads or road reserves, which would not be suitable for residential purposes. Others are reserved land and therefore cannot be considered under the HLS Act. It is important to remember that any land to be considered for a Housing Land Supply Order must meet all criteria under the HLS Act and will be subject to consultation and Parliamentary scrutiny. The assessment criteria under current section 6(1)(f) of the HLS Act specifically require the Minister to be satisfied that making the land available for residential purposes will not create significant land use conflicts.

The only properties owned by Tasmania Development and Resources that would potentially be suitable for consideration for an Order under the proposed amendments to the HLS Act are those that form part of the Launceston Techno Park at Kings Meadows or the Hobart Techno Park at Dowsing Point.

The draft Bill has been revised to require consent from the Tasmanian Development Board for any Order that applies to their land.

## 5.2 Consistency with the Land Use Planning and Approvals Act

In addition to the proposed change to the requirement for consistency with the relevant regional land use strategies, it was suggested that consistency with the future Tasmanian Planning Policies should also be required. This suggestion is in keeping with the intent of the initial proposal and is also consistent with the tests under the LUPA Act. The draft Bill has been revised accordingly.

One submission commented that as the HLS Act provides a fast-track rezoning process, the requirement for 'consistency' with regional land use strategies, instead of 'as far as practicable' consistency, should remain. It is contrary to the purpose of the HLS Act for the requirements to be more onerous than the matching requirements in the LUPA Act. This part of the draft Bill has been retained as proposed.

One other submission supported greater consistency between the HLS Act and the LUPA Act, but stressed the need to avoid unnecessary regulatory duplication and additional red tape. The HLS Act provides a separate and more direct process for rezoning suitable Government land for housing. It does not duplicate or add any additional red tape to the current processes.

## 5.3 Application to Flinders municipality

One submission noted the potential for some issues to arise if services like waste management are not properly managed. It was also suggested that taxi services are available on Flinders Island and may be considered a form of public transport.

In determining whether to make an Order within the Flinders municipality, the Minister must specifically consider the adequacy of wastewater treatment and stormwater management on the site. While a taxi service may be available on Flinders Island, it differs to normal public transport in that it may not be fully accessible or an economically feasible alternative, particularly for tenants of affordable or social housing. This part of the draft Bill has been retained as originally drafted.

## 5.4 Additional comments

Other comments recommended the implementation of broader housing policies through the LUPA Act and the planning system, such as:

- objectives for social inclusion, housing diversity and housing affordability;
- goals, purpose and objective statements for housing affordability and the promotion of affordable housing in planning schemes; and
- prohibiting the introduction of special clauses that exclude of people on low incomes or social payments from new development.

These matters largely relate to broader policy considerations that are best managed through future planning reforms, such as the Tasmanian Planning Policies and reviews of the regional land use strategies. However, the need to promote more affordable housing through planning schemes is particularly relevant to the draft Bill.

Demand for housing in Tasmania is increasing, with demand for affordable and social housing being more acute now than when the HLS Act was introduced in 2018. The impacts of the COVID-19 pandemic have also driven demand for housing in regional areas of Australia outside the major mainland cities.

With the continued demand for housing, more needs to be done across of number of sectors with intervention ranging beyond the planning system. However, further assistance can be provided through the HLS Act with more government land being made eligible for consideration.

Specifically, it is proposed to broaden the scope of eligible government land to include land obtained by the Director of Housing since the HLS Act came into effect. Currently, the HLS Act is limited to land that was owned or managed by the Director of Housing prior to it coming into effect.

In broadening the scope of eligible government land, it is proposed to require a broader and longer public consultation period for the recently obtained land, with full public consultation for a 28-day period in addition to the consultation required with 'interested persons' under current Division 2 of the HLS Act.

While not specifically raised in the submissions, the Government continues to improve transparency for decision making in the planning system. This is understandably important in maintaining trust and accountability in the system and is often a key issue raised by stakeholders.

Consequently, it is proposed to further improve transparency in the decision making processes under the HLS Act, specifically in the event of the Minister determining to not progress an Order following consultation. The revisions require the Minister to:

- issue a notice outlining the reasons for the decision;
- provide the notice to all 'interested persons' and any person who made a submission; and
- make the notice available, along with all submissions received, on the Department of Justice's website.

This delivers transparency in the decision making process, consistent with the making of an Order.

## 6. Next steps

The revised draft Bill will be subject to further consultation before being considered for tabling in Parliament for debate.



Tasmanian  
Government

Planning Policy Unit  
Department of Justice

Level 4B, 144 Macquarie Street  
HOBART TAS 7000

Phone: 03 6166 1429

Email: [Planning.Unit@justice.tas.gov.au](mailto:Planning.Unit@justice.tas.gov.au)

Visit: [www.planningreform.tas.gov.au](http://www.planningreform.tas.gov.au)