



TASMANIA

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

No. 31 of 2024

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

No. 31 of 2024

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

[Royal Assent 13 December 2024]

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*.

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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.

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) “a final extension under subsection (5).” and substituting “an extension under 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 planning authority has granted a further extension under subsection (7A).
- (c) by omitting from subsection (3) “extension, or a final extension, under

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- subsection (4) or (5)” and substituting “extension under subsection (4), (5) or (7A)”;
- (d) by omitting from subsection (5) “a final” and substituting “an”;
- (e) by omitting from subsection (6) “extension, or a final extension, of the period of a permit under subsection (4) or (5)” and substituting “extension of the period of a permit under subsection (4), (5) or (7A)”;
- (f) by omitting from subsection (7) “extension, or a final extension, under subsection (4) or (5)” and substituting “extension under subsection (4), (5) or (7A)”;
- (g) by omitting from subsection (7) “subsection (4) or (5)” second occurring and substituting “subsection (4), (5) or (7A)”;
- (h) by inserting the following subsection after subsection (7):
- (7A) The planning authority may grant, only once, a further extension of a permit that would otherwise lapse under subsection (2)(c) if –
- (a) the planning authority is satisfied that, due to the

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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 (2)(c); and

- (b) the further extension of the permit, by the planning authority, 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 planning authority has granted a further extension under subsection (5D), at the end of a

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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 omitting from subsection (5C) “subsection (5A) or (5B)” and substituting “subsection (5A), (5B) or (5D)”;
- (d) by inserting the following subsection after subsection (5C):

(5D) The planning authority may grant, only once, a further extension of a permit that would otherwise lapse under subsection (5)(c) if –

- (a) the planning authority 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

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planning authority, 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.

*[Second reading presentation speech made in:–
House of Assembly on 19 November 2024
Legislative Council on 27 November 2024]*