

TASMANIA

**LAND USE PLANNING AND APPROVALS
AMENDMENT REGULATIONS 2021
STATUTORY RULES 2021, No. 130**

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**LAND USE PLANNING AND APPROVALS
AMENDMENT REGULATIONS 2021**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Land Use Planning and Approvals Act 1993*.

Dated 13 December 2021.

B.BAKER
Governor

By Her Excellency's Command,

R. C. JAENSCH
Minister for Local Government and Planning

1. Short title

These regulations may be cited as the *Land Use Planning and Approvals Amendment Regulations 2021*.

2. Commencement

These regulations take effect on the day on which their making is notified in the *Gazette*.

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3. Principal Regulations

In these regulations, the *Land Use Planning and Approvals Regulations 2014** are referred to as the Principal Regulations.

4. Part 4 substituted

Part 4 of the Principal Regulations is rescinded and the following Part is substituted:

PART 4 – FEES FOR MAJOR PROJECTS

14. Interpretation of Part

In this Part –

major project impact statement has the same meaning as in section 60B of the Act;

major project proposal has the same meaning as in section 60B of the Act;

Panel has the same meaning as in section 60B of the Act.

15. Fee for major project proposal

- (1) The fee for the consideration of a major project proposal is 6 000 fee units.

*S.R. 2014, No. 141

- (2) The fee payable under subregulation (1) is to be paid to the Department within 30 days after the day on which notice is provided to the Minister under section 60C(1) of the Act.

16. Fee for preparation of assessment criteria

- (1) Fees for the preparation by a Panel of draft assessment criteria and the determination of assessment criteria are to be calculated so as to allow for the recovery of the full costs associated with that preparation and determination.
- (2) The fees payable under subregulation (1) are to be paid to the Commission within 30 days, or such later period as the Commission allows, after the day on which the Minister notifies the Commission of the declaration of a major project under section 60R(1)(g) of the Act.

17. Fee for major project impact statement

- (1) A fee for the preliminary consideration by the Commission of a major project impact statement is to be calculated so as to allow for the recovery of the full costs associated with considering the statement.
- (2) The fee payable under subregulation (1) is to be paid to the Commission within

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30 days, or such later period as the Commission allows, after the day on which the major project impact statement is provided to the Panel under section 60ZS(1) of the Act.

18. Fee for final assessment of major project impact statement

- (1) The fee for the final assessment by a Panel of a major project impact statement is to be calculated so as to allow for the recovery of the full costs associated with assessing the statement.
- (2) The fee payable under subregulation (1) is to be paid to the Commission within 30 days, or such later period as the Commission allows, after the last day of hearings held in respect of the major project under section 60ZZE of the Act.

19. Fee for decision to grant or refuse permit

- (1) The fee for the decision to grant, or refuse to grant, a major project permit is to be calculated so as to allow for the recovery of the full costs associated with making the decision.
- (2) The fee payable under subregulation (1) is to be paid to the Commission within 30 days, or such later period as the Commission allows, after the receipt of final advice in relation to the major

project from the regulators under section 60ZZF of the Act.

20. Fee for amendment of major project permit

- (1) The fee for the relevant decision-maker to allow, or to refuse to allow, a minor amendment of a major project permit in accordance with section 60ZZW of the Act is 3 000 fee units.
- (2) The fee for the relevant decision-maker to give, or to refuse to give, permission under section 60ZZZ(7) of the Act in relation to a significant amendment of a major project permit is 4 000 fee units.
- (3) The fee payable under subregulation (1) is to be paid to the Commission within 30 days, or such later period as the Commission allows, after the application for the amendment is made.
- (4) The fee payable under subregulation (2) is to be paid to the Commission within 30 days, or such later period as the Commission allows, after permission is given or refused.

20A. Refund or waiver of fees

The Commission may refund or waive any or all of a fee payable under this Part.

Land Use Planning and Approvals Amendment Regulations 2021
Statutory Rules 2021, No. 130

Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 22 December 2021.

These regulations are administered in the Department of Justice.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations amend the *Land Use Planning and Approvals Regulations 2014* to provide for a fee structure for the major projects assessment process.