

# Draft Amendment 01/2021 of the State Planning Provisions

## Terms of Reference

I, Roger Charles Jaensch, Minister for Local Government and Planning, pursuant to section 30C(1) of the *Land Use Planning and Approvals Act 1993* (the LUPA Act), hereby issue these Terms of Reference for the preparation of draft amendment 01/2021 of the State Planning Provisions (SPPs).

### Background

The SPPs were made on 22 February 2017 and came into effect on 2 March 2017. It is important that the SPPs are kept under regular review to ensure the intended planning outcomes are delivered.

With the SPPs currently in effect in several municipalities, and the recent introduction of parts of the SPPs in interim planning schemes through *Interim Planning Directive No. 4 – Exemptions, Application Requirements, Special Provisions and Zone Provisions* (Interim Planning Directive No. 4), further amendments of the SPPs have been identified which can be managed through the minor amendment process under the LUPA Act.

Minor amendments have been identified by a range of stakeholders, including local councils, the Tasmanian Planning Commission, State agencies and authorities, and others involved in the operation of the SPPs, including submissions made on draft *Planning Directive No. 8 – Exemptions, Application Requirements, Special Provisions and Zone Provisions* (which is currently in effect as Interim Planning Directive No. 4). There is also the opportunity to align the SPPs with *Planning Directive No. 7 – Permits for Temporary Housing* (Planning Directive No. 7), and updated legislation and Australian Standards.

### Scope of the draft amendment

Draft amendment 01/2021 of the SPPs is to make any necessary amendments to the SPPs that are capable of meeting the criteria for minor amendments of the SPPs under section 30NA(1) of the LUPA Act, specifically for the following purposes:

- correcting a clerical mistake, an error arising from any accidental slip or omission, an evident miscalculation of figures, or an evident material mistake, in a provision of the SPPs;
- clarifying the SPPs;
- removing an inconsistency in the SPPs;
- removing an inconsistency between the SPPs and another Act; and
- bringing the SPPs into conformity with Planning Directive No. 7 which I have, under section 30BA of the LUPA Act, determined should be reflected in the SPPs.

### Statutory requirements for the draft amendment

The draft amendment is to be prepared in accordance with the requirements in Part 3, Division 2 of the LUPA Act.