

LAND USE PLANNING AND APPROVALS AMENDMENT ACT 1996

No. 60 of 1996

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

[Royal Assent 16 December 1996]

Be it enacted by His 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:

Short title

1. This Act may be cited as the Land Use Planning and Approvals Amendment Act 1996.

Commencement

2. This Act commences on the day after the day on which it receives the Royal Assent.

Land Use Planning and Approvals Amendment

Principal Act

3. In this Act, the Land Use Planning and Approvals Act 1993* is referred to as the Principal Act.

Section 57 amended (Applications for discretionary permits)

- 4. Section 57 of the Principal Act is amended by omitting subsection (1) and substituting the following subsection:
 - (1) This section applies to an application for a permit in respect of a use or development which, under the provisions of a planning scheme or special planning order
 - (a) is of a kind specified as being a use or development which a planning authority has a discretion to refuse or permit; or
 - (b) may not proceed as proposed by the applicant unless a planning authority waives, relaxes or modifies a requirement of the scheme or order, or otherwise in its discretion consents to the use or development proceeding.

^{*} No. 70 of 1993. Amended by No. 68 of 1994 and Nos. 6, 18, 30, 88 and 104 of 1995.

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[Second reading presentation speech made in:-House of Assembly on 21 November 1996 Legislative Council on 27 November 1996] ,