

TASMANIAN PLANNING COMMISSION



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10 August 2026

Hon Kerry Vincent MP
Minister for Housing and Planning

By email: kerry.vincent@parliament.tas.gov.au

Dear Minister

Advice on Draft Amendment 04-2026 of the State Planning Provisions

I refer to the letter from the State Planning Office dated 10 July 2026 written on your behalf seeking advice from the Commission on whether draft amendment 04-2026 of the State Planning Provisions (SPPs) meets the minor amendment criteria at section 30NA(1) of the *Land Use Planning and Approvals Act 1993* (the Act).

The relevant criteria as is prescribed under:

- section 30NA(1)(a) of the Act which requires consideration of the purpose of the amendment; and
- section 30NA(1)(b) of the Act which requires consideration of whether the public interest will be prejudiced by the Commission not exhibiting, considering, and reporting on the draft amendment in accordance with Subdivision 3 of the Act.

Draft amendment 04-2026 proposes 3 amendments to the Tasmanian Planning Scheme SPPs. In accordance with section 30NA(4) of the Act, the Commission provides the following advice for each of the proposed amendments.

Amendment 1 - replace the reference to “current certificate of title” to “current title search (Register extract)”.

The amendment meets section 30NA(1)(a)(ii) and (iii) of the Act on the basis that from 1 September 2026 certificates of title will no longer exist and the amendment will address an otherwise introduced anomaly.

The public interest will not be prejudiced by the approval of the amendment as the revised terminology simply enables the continued identification of land parcels subject to an application.

Amendment 2 - Modification of clause 4.0.2 to add the words “under this planning scheme” at the end of the clause.

This amendment and Amendment 3 are directed to remove a potential anomaly between the Act and the State Planning Provisions, to ensure that planning

permits issued under previous planning schemes continue to operate notwithstanding the commencement of the Tasmanian Planning Scheme.

The amendment meets section 30NA(1)(a)(iii) of the Act on the basis that it will provide clarity by removing a potential interpretation discrepancy between the Act and the SPPs.

The public interest will not be prejudiced by the approval of the amendment as the revised terminology provides clarification and confirms the interpretation of the provisions that has generally been accepted. .

Amendment 3 - Modification of clause 6.4.1(a) to delete the words “and the provisions of this planning scheme”.

The amendment meets section 30NA(1)(a)(iii) of the Act on the basis that it will provide clarity by removing a potential interpretation discrepancy between the Act and the SPPs. The amendment clarifies that reference to permits are not limited to permits issued under the Tasmanian Planning Scheme and extend equally to permits issued under former planning schemes.

The public interest will not be prejudiced by the approval of the amendment as the revised terminology is consistent with the Act (which prevails over the SPP's to the extent of any inconsistency) and reinforces the way industry currently interprets the provision.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Ramsay', with a stylized flourish at the end.

John Ramsay
Executive Commissioner

cc. State Planning Office
Attention: Nell Nettlefold - Acting Director