

Information Sheet 1-2026

Subject: Tasmanian Planning Policies - commencement 1 July 2026

Purpose: To provide initial guidance on Commission processes relating to the commencement of the Tasmanian Planning Policies, including implications and considerations for current and future assessments, and proposed legislative amendments

Introduction

Dated 27 May 2026, this information sheet provides initial guidance on:

- the commencement of the [Tasmanian Planning Policies](#) (PDF, 3.2MB)¹ (TPPs);
- implications for current and future assessments under the [Land Use Planning and Approvals Act 1993](#)² (the Act), in particular draft amendments to Local Provision Schedules (LPSs);
- the Commission's assessment approach, including during the transition; and
- proposed legislative amendments.

TPPs and their commencement

The TPPs will come into effect on 1 July 2026.

The TPPs are a statewide statutory planning instrument made under Part 2A of the Act. They set the aims or principles, that are to be achieved or applied through the regional land use strategies (regional strategies) and the Tasmanian Planning Scheme (TPS), comprising the State Planning Provisions (SPPs) and Local Provision Schedules (LPSs).

The TPPs establish a high-level planning policy framework that the Commission understands will be implemented through reviews of the regional strategies, amendments to the SPPs, amendments to LPSs, and informing certain major project processes and other specified statutory functions.

¹ https://www.stateplanning.tas.gov.au/__data/assets/pdf_file/0003/610752/Tasmanian-Planning-Policies-November-2025.pdf

² <https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-070>

The policy content of the TPPs is structured around seven key themes addressing broad land use planning matters – Settlement, Environmental Values, Environmental Hazards, Sustainable Economic Development, Physical Infrastructure, Cultural Heritage, Planning Processes.

Relevant to the Commission’s statutory roles and functions, the TPPs are required to be taken into account in the following key processes:

- the assessment of amendments to the SPPs (section 15(2)) and LPSs (section 34(2));
- the review of the regional strategies (section 5A);
- the declaration and assessment of major projects (Part 4, Division 2A); and
- the making of housing land supply orders under the *Housing Land Supply Act 2018*.

How the TPPs are to be applied

In applying the TPPs, the Commission, as a decision-maker, must have regard to the operative parts. The operative parts express both the planning policy and the manner in which the planning policy is intended to be applied and implemented into the SPPs, LPSs and regional strategies (refer to Table 1 in the TPPs).

The operative parts of the TPPs are contained within the *General Application and Implementation* section, which includes six implementation principles (pages 10 and 11) that apply to all TPPs, and within the *Application, Objective* and *Strategies* sections which apply to each individual TPP.

Importantly, the TPPs contain directions made under section 12B(3) which require decision-makers to have regard to the six implementation principles when applying the TPPs. These principles identify the matters to be taken into account in implementing the TPPs in the SPPs, LPSs and regional strategies.

In fulfilling its statutory functions, the Commission must give effect to and apply the TPPs in a manner consistent with the implementation principles, as required by section 12B(3).

The TPPs do not apply to individual development applications, other than certain major project processes. While interim planning schemes assessed continue to be assessed under former provisions of the Act (for example, *Kingborough Interim Planning Scheme 2015*), Schedule 6 requires draft amendments to those planning instruments to be consistent with the TPPs. The TPPs also do not apply to the initial approval of a draft LPS³ (for example, the draft Kingborough LPS).

Implications for draft LPS amendments

Decision-making

In assessing a draft LPS amendment, decision-makers, including the Commission and planning authorities, must be satisfied that the amendment meets the LPS criteria under section 34(2)(a)-(h). From 1 July 2026, this assessment must also include consideration of section 34(2)(da) in relation to the TPPs.

³ See section 87D of the Act (Schedule 7)

For planning authorities, this means that when determining whether a draft amendment meets the LPS criteria under section 34(2)(a)-(h) for the purpose of certification under section 40F, they must also include consideration of whether the amendment *satisfies the relevant criteria in relation to the TPPs*.

This requirement is additional to section 34(2)(e), which requires the decision-maker (being the Commission or a planning authority) to be satisfied that the draft amendment, *as far as practicable, is consistent with the applicable regional land use strategy*.

See information below about proposed legislative amendments, which includes replacing the statutory test in section 34(2)(da) and introducing transitional and savings provisions.

Role of the Commission

Broadly, in undertaking assessments in its statutory decision-making role, the Commission will apply the TPP policy framework in much the same way as it would when considering a State Policy or regional policies expressed through regional strategies. That is:

- 1) **Identify the relevant policies** – identifying the TPPs relevant to the proposed amendment, and considering these TPPs within the broader statutory framework, as required under section 34(2);
- 2) **Case-by-case assessment** - assessing each proposed amendment on its merits on a case-by-case basis, having regard to the specific context and circumstances of the amendment; and
- 3) **Determining weight** – determining the relevance and weight to be afforded to applicable TPPs, having regard to the statutory context, the nature and scope of the proposal, the applicability of individual policies, and the quality, strength and sufficiency of supporting information and evidence.

A key point of difference in the Commission's role as a decision-maker, in applying the TPPs compared with other policy instruments, is that the TPPs contain directions made under section 12B(3) which specify the manner in which they are to be implemented in the SPPs, LPSs and regional strategies. As stated above, these directions are expressed through the six implementation principles (pages 10 and 11), which identify the matters to be taken into account in applying the TPPs.

In fulfilling its statutory functions, the Commission must give effect to and apply the TPPs in a manner consistent with the implementation principles (section 12B(3)).

Applying the TPPs to Draft LPS Amendments

In assessing a draft LPS amendment, the Commission must be satisfied that the amendment meets the LPS criteria under section 34(2)(a)-(h). From 1 July 2026, section 34(2)(da) also requires the Commission to be satisfied that the draft amendment meets *the relevant criteria in relation to the TPPs*.

The Commission in undertaking a structured, evidence-based approach to assessment would be assisted where applicants and planning authorities provide clear information demonstrating how a draft LPS amendment satisfies the LPS criteria, including the relevant TPPs. A policy-by-policy assessment approach is appropriate, generally including:

- 1) **Identifying relevant TPPs** – clear identification of applicable TPP policy themes relevant to the draft amendment, including Settlement, Environmental Values,

Environmental Hazards, Sustainable Economic Development, Physical Infrastructure, Cultural Heritage, Planning Processes.

- 2) **Considering operative parts** of the TPPs – consideration of the *General Application and Implementation* section, which includes six implementation principles that apply to all TPPs, and the *Application, Objective and Strategies* sections which apply to each individual TPP.
- 3) **Assessing the statutory ‘test’** – demonstrate how the draft amendment *satisfies the relevant criteria in relation to the TPPs* by explaining how the amendment achieves or supports the intended TPP policy outcomes, and clear identification and justification of any policy variances.

Reconciling the TPPs and regional strategies

As the current three regional strategies pre-date the commencement of the TPPs, there may be instances where elements of those strategies are not fully aligned with the policy direction established by the TPPs. In such circumstances, variances or divergences may arise where regional strategy provisions do not fully reflect or give effect to the more contemporary policy framework established by the TPPs.

In these cases, considered and reasoned judgment is required to reconcile any variance or divergence between instruments, having regard to their respective statutory status, the directions made under section 12B(3) establishing the implementation principles, and the intended role of TPPs within the broader planning framework.

Where variances or divergences arise, the Commission would be assisted where applicants and planning authorities provide:

- clear identification of areas of alignment and divergence between the regional strategy and relevant TPPs, with a focus on the operative parts;
- where necessary, supporting evidence and technical analysis to justify the proposed position; and
- justification for an overall planning outcome consistent with the intent of the TPPs, including how any identified policy variance or divergence may be resolved or appropriately balanced.

Presentation of Information or Evidence

It is a matter for parties to determine who presents information or evidence to support a section 34(2) submission. The persuasive weight afforded to that material is a matter for the Commission to consider, having regard to its relevance, credibility and probative value.

Where expert evidence is to be presented at a hearing, the Commission expects that the usual procedures for the preparation, submission and exchange of expert evidence will be followed.

Implications for major projects

For major projects, the statutory test is whether a proposal is not *in contravention of the TPPs* (section 60N).

The TPPs will inform the following stages of major project process under the Act:

- Project eligibility (suitability) - the TPPs must be considered by the Minister for Housing and Planning when determining whether a major project is suitable for declaration.
- Assessment criteria and scope - the TPPs must be applied as part of informing the Commission's development of assessment criteria; and the scope of matters to be addressed in the Major Project Impact Statement (MPIS).
- Final assessment - the TPPs must be considered as part of the broader strategic policy context and inform the evaluation of matters relevant to the major project, including settlement outcomes, environmental values, environmental hazards, cultural heritage, infrastructure coordination, and sustainable development.

In adopting a structured, evidence-based approach to assessment, the Commission would be assisted where project proponents clearly identify and document how a proposed major project responds to the relevant TPPs, with a focus on the operative parts.

Providing a submission alongside the MPIS that demonstrates how the project aligns with, and does not contravene, the relevant TPP through a structured, policy-by-policy assessment, is the preferred approach.

Project proponents seeking clarification on Commission processes or information requirements relating to the TPPs are encouraged to contact the Commission and discuss with the relevant Planning Adviser.

Proposed legislative amendments

The State Planning Office (SPO), on behalf of the Minister for Housing and Planning, recently concluded consultation on the *draft Land Use Planning (Miscellaneous Amendments) Bill 2026* (draft Bill). For further information, visit the [Planning in Tasmania website](#)⁴ or view the [Background Report for Consultation on the draft Bill](#) (PDF, 383.4KB)⁵.

As at the date of this Information Sheet, the Commission understands the draft Bill has not been passed by Parliament, and there is no certainty that it will be enacted or in force by 1 July 2026.

Relevant to the commencement of the TPPs, the key changes in the draft Bill are:

- 1) Amendment to section 34(2)(da) - replace the statutory test from "*satisfies the relevant criteria in relation to the TPPs*" to "*is consistent with the TPPs*", to provide assessment criteria consistent with how State Policies are considered.
- 2) Removal of section 34(2A) – consequential repeal following amendments to section 34(2)(da).
- 3) Transitional and savings provisions - support implementation of the TPPs and address the interaction with regional strategies under review. The proposed changes include:

⁴ <https://www.stateplanning.tas.gov.au/have-your-say/consultations/lupaa-amendments/lupaa-miscellaneous-amendments-bill-2026>

⁵ https://www.stateplanning.tas.gov.au/__data/assets/pdf_file/0018/630108/Draft-LUPA-Miscellaneous-Amendments-Bill-2026-Background-Report.pdf

- Draft LPS (e.g. draft Kingborough LPS) – to be assessed against the version of the regional strategy that was in force at the time of the planning authority provided its exhibition report.
- Draft LPS amendments – to be assessed against the version of the regional strategy that was in force at the time of certification by the planning authority as complying with the Act.
- Certified amendments prior to 1 July 2026 – to be excluded from the requirement to consider the TPPs (i.e. section 34(2)(da) not operative).
- Draft LPS amendments directed by the Commission under section 35KB(1) for substantial modification – to be assessed against the version of the regional strategy at the time the direction was made under section 35KB(1), and excluded from the requirement to consider the TPPs (i.e. section 34(2)(da) not operative).

The Commission will continue to monitor the draft Bill, and will provide further updates to this Information Sheet, as required.

Commission approach during transition

In the event the draft Bill is not in force by 1 July 2026, the Commission will continue to apply the existing provisions of the Act.

For current draft LPS amendments not determined prior to 1 July 2026, the Commission will support planning authorities and other parties through the transition. In doing so, the Commission will have regard to the principles of natural justice, including maintaining procedural fairness and impartiality, the relevance of the TPPs to the matters under consideration in the assessments, and the need for timely and efficient determination of assessments.

The Commission will adopt a pragmatic and proportionate approach to ongoing assessments to maintain continuity and efficiency. This includes avoiding unnecessary rework, clearly communicating expectations with all parties during the transition, and distinguishing between matters of strategic alignment and detailed regulatory requirements.

Where the Commission identifies a relevant and significant policy matter relating to the TPPs or a regional strategy that has not been raised or addressed by the parties, it will bring the matter to their attention and provide a reasonable opportunity for them to respond, consistent with its information-gathering powers under the *Tasmanian Planning Commission Act 1997*. This ensures parties are given a fair opportunity to respond or to provide necessary evidence to such relevant matters, before the Commission makes its determination.

In such cases, the Commission will determine the most appropriate process, having regard to the stage of the assessment process, fairness to all parties and the need to maintain procedural fairness.

Parties with questions regarding specific ongoing assessments, or more generally about the application of the TPPs and the Commission processes, are encouraged to contact the Commission and discuss with the relevant Planning Adviser.

Further information

The Commission will continue to monitor the draft Bill, and update this Information Sheet, as required.

The TPPs are available on the [Planning in Tasmania website](#)⁶.

For further information on the Commission's roles and functions in relation to the TPPs, Commission assessment processes or questions about current assessments, please contact the Commission:

Telephone: (03) 6165 6828

Email: tpc@planning.tas.gov.au.

Website: www.planning.tas.gov.au

For further information on the TPPs and the statutory context within which they will operate, the broader planning system, and the above discussed proposed legislative amendments, please contact the State Planning Office by telephone on 1300 703 977 or email spo@stateplanning.tas.gov.au, or visit the Planning In Tasmania website at www.stateplanning.tas.gov.au.

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**Acting Executive Commissioner
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⁶ <https://www.stateplanning.tas.gov.au/planning-system/tasmanian-planning-policies/about-tasmanian-planning-policies>