Land Tasmania

Priority Final Plan

Practice Guide

Version 1.1

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Land Tasmania
Department of Natural Resources and Environment Tasmania

Tasmanian Government

Priority Final Plan

Priority Final Plan scheme

The Priority Final Plan scheme ("PFP scheme") came into effect on 30 November 2020, following amendments to Division 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* (the "Act").

Plans that are compliant with the PFP scheme, and do not require amendment or further information via Notice in writing ("Notice") from the Land Titles Office ("LTO") must be accepted or rejected within 15 business days of the LTO receiving the final plan sealed by council.

Applicable Law

Requirements for lodgment under the PFP scheme are set out in Division 3 of the Act.

How to comply with the PFP scheme?

To assist with preparation and lodgment, a Priority Final Plan Checklist and Certification document has been developed by the LTO and can be found by visiting the Priority Final Plan Scheme (PFP) Material webpage on the NRE website. Lodging parties may include this with the initial lodgment or subsequent lodgments.

To apply for a plan of subdivision to be dealt with under the PFP scheme, lodging parties are to provide the following to the LTO:

On initial lodgment with the LTO (within 5 business days of lodging with council)

- Payment of the correct prescribed fees* (available on the Land Titles Office Fees webpage).
  *Any road lot must be included as a lot when calculating the fee payable.
- A copy of the final plan marked "**Priority Final Plan**" as lodged with council.
- A copy of the fully executed schedule of easements.
- Copies, or originals of:
  - Survey notes.
  - Balance plan (if required).
- Certification or endorsement by the owner, an agent of the owner or a legal practitioner acting on behalf of the owner, that:

- the copy final plan and documents lodged under the PFP scheme with the LTO are **identical** to the documents that were lodged with council, and;
- were lodged with council not more than **5 business days** before lodgment with the LTO.

Before the LTO receipt of final plan, marked "Priority Final Plan" sealed by council

These documents **may be lodged** with the LTO before lodgement of the final plan sealed by council with the LTO:

- Valid production slip receipt for all affected titles.
  - Note the removal of certificates of title from land titling processes impacts this requirement. For lodgements 1 September 2026 until and including 30 November 2026, refer to detailed information on the Final Plans transitional arrangements webpage.
- Original survey notes (if not already provided).
- Original balance plan (if required and if not already provided).

Certificate of title or valid production slip receipt for all affected titles*.

With the LTO receipt of final plan, marked "Priority Final Plan" sealed by council

These documents **must** be lodged with the LTO with lodgement of the final plan sealed by council with the LTO:

- **Valid** production slip receipt for all affected titles (if not already provided).
  - Note the removal of certificates of title from land titling processes impacts this requirement. For lodgements 1 September 2026 until and including 30 November 2026, refer to detailed information on the Final Plans transitional arrangements webpage.
- **Original** survey notes (if not already provided).
- **Original** balance plan (if required and if not already provided)
- **Original** Request For Final Plan To Be Made Effective.
  - Note the removal of certificates of title from land titling processes impacts this requirement. For lodgements 1 September 2026 until and including 30 November 2026, refer to detailed information on the Final Plans transitional arrangements webpage.

- **Original** fully executed schedule of easements.
- Consents (if any required).
- Endorsements (if any required).

For examination purposes

In accordance with Office Circular No. 5/2019, a registered land surveyor must ensure that every plan of survey and the associated survey notes lodged are fully compliant with the Survey Directions applicable at that time. It is the responsibility of the surveyor to ensure the provision of documentation with no errors or omissions by satisfying the following criteria:

- Adequate presentation with no textual errors or omission of administrative detail.
- No errors in dimensions or lot areas, or omission of access or easements, or statutory non-compliance.
- Adequate basis for boundary redefinition (inclusive of adequate reporting); adequate documentation of occupation; correct re-establishment of title boundaries; no overlap of titles; marked in accordance with the Survey Directions.

How are Notices issued?

In accordance with the Act, the Recorder of Titles may:

- give to the council and the owner a Notice that the final plan marked “Priority Final Plan” is required to be amended; or
- give to the owner a Notice specifying that:
    - the Recorder of Titles requires further information or documents; or
    - the information or documents provided to the Recorder of Titles require amendment as specified in the Notice.

When the LTO advises a party of a Notice, this will be in the form of a formal communication via written letter which is emailed or mailed to the recipients. The Notice will state the requirements of the LTO that need to be met and it may include a copy of a document showing amendment, or further information required for ease of explanation. This copy document may be marked-up, or highlighted, or otherwise labelled to indicate the part that requires amendment, or where further information is required and forms part of the Notice. An example is shown in Figure 1.

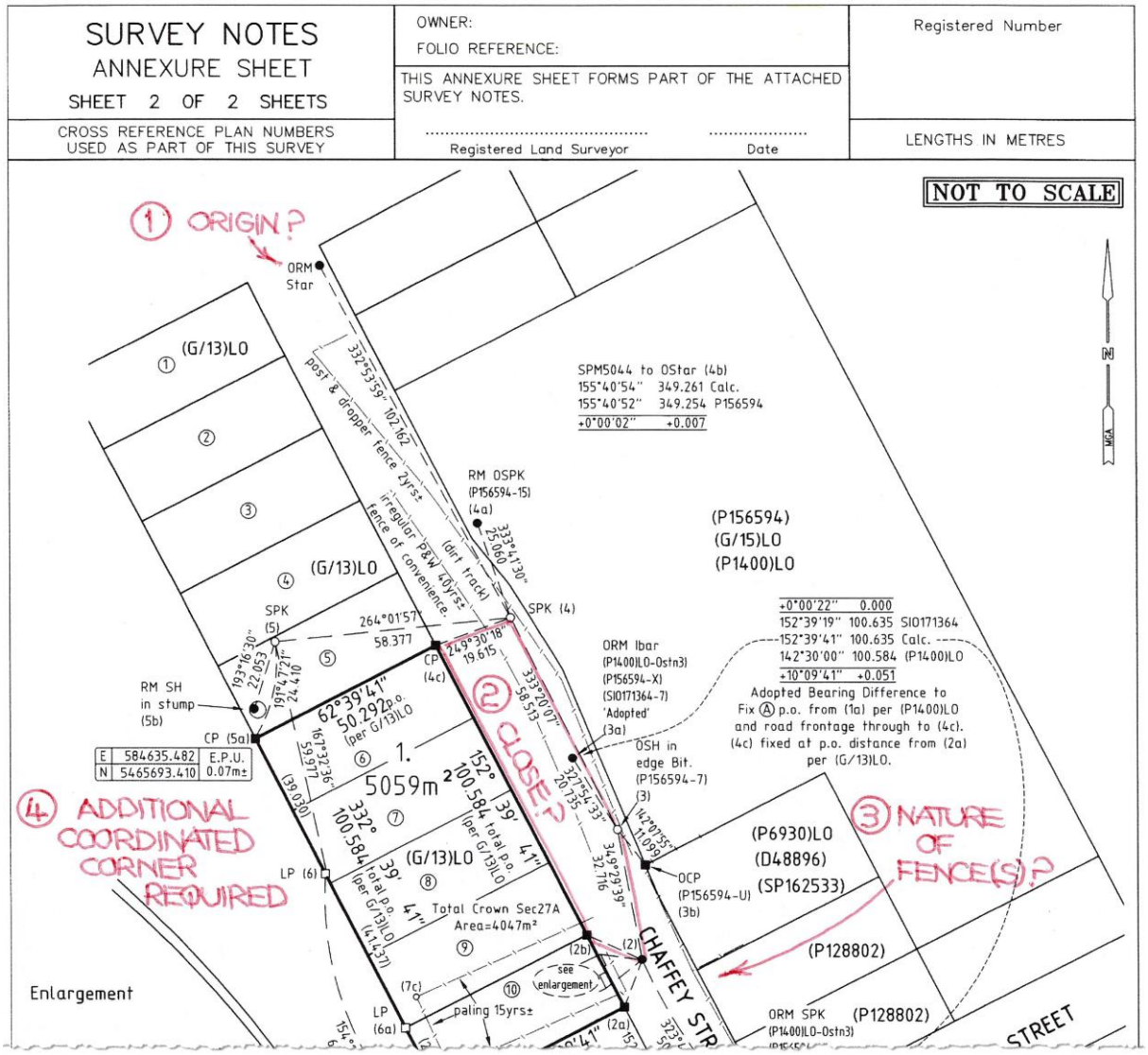

Figure 1 - Example of a marked-up copy clearly labelled, indicating where amendment or further information is required

How to respond to a Notice?

The appropriate response will depend on the further information, or amendment requested in the Notice. A copy of the Notice should be included when a response is provided. The response should clearly address the issue/s that have been raised in the Notice.

If the response involves a replacement document in lieu of a document already lodged, please clearly state this, and provide a marked-up copy or highlighted copy or otherwise labelled copy to indicate the part/s amended, or where further information is provided.

Responses must be in writing and can be sent via post or emailed. **Emailed responses to Notices are to be sent to** planslto@nre.tas.gov.au.

What effect does a Notice have on Priority Final Plans?

Upon the LTO advising the lodging party, or their agent, and when required, council, of a Notice, the 15-business day timeframe pauses. The 15-business day timeframe resumes once **all** Notices have been resolved to the Recorder of Titles' satisfaction.

When a response to the Notice, in the form requested, is received by the LTO, the LTO has 8 business days to consider the response, request any additional information, or accept the response. If the LTO fails to provide a response within the 8-business day timeframe for LTO consideration of response, the 15-business day timeframe starts again.

What happens to lodgments that no longer comply with the PFP scheme?

If lodging parties attempt to lodge under the PFP scheme, and the lodgment does not comply, lodging parties will be advised by the LTO in writing.

Lodgments that do not comply, or that no longer comply, with the PFP scheme will not enjoy the priority benefits of the PFP scheme as provided in the Act.

Lodgments outside the PFP scheme will be examined in the normal course of business.

DISCLAIMER

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This publication does not constitute legal advice.

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The publication may be updated from time to time and is current at the date of publication shown on the cover.

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QUICK LINKS

The Australasian Legal Information Institute www.austlii.edu.au

Tasmania's consolidated legislation online www.legislation.tas.gov.au

Department of Natural Resources and Environment Tasmania www.nre.tas.gov.au

The LIST (Land Information System Tasmania) www.thelist.tas.gov.au

Department of Natural Resources and Environment Tasmania
E: planslto@nre.tas.gov.au
www.nre.tas.gov.au

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