Fact Sheet

Data Centre Safeguards Bill 202

The *Data Centre Safeguards Bill 2026* prevents large-scale data centre developments from being approved under the Tasmanian Resource Management and Planning System until adequate state-wide requirements have been introduced relating to water and energy use. This is intended to protect the sustainability, affordability, reliability, and security of Tasmania's electricity and water supply.

The Bill also requires data centre developments to be introduced as a specific and discretionary use class in the State Planning Provisions before these developments can be approved. This ensures the unique use and impact of these developments are considered in a transparent way and preserves public consultation and planning appeal rights.

The Bill only relates to data centres that have a principal purpose of collecting, distributing, processing or storing electronic data using information technology. This is intended to ensure that small scale edge or onsite enterprise buildings such as standard server rooms are not covered by this Bill and can continue to be approved.

The Bill requires that should data centre developments be pulled out of the regular planning process and into the project of State significance process, as set out in the *State Policies ad Projects Act 1993,* any order issued by the Governor on the advice of the Planning Minister cannot take effect until it has been approved by resolution of each House of Parliament.

This ensures that if a data centre development is declared a project of state significance, a process that would circumvent the above safeguards, it will need support from both Houses of Parliament before it can be approved. This preserves the ability for data centre developments to be approved in the absence of the above safeguards only if there are compelling reasons and broad community support to do so.

The Bill prohibits extensions to data centre permits and major project permits where a proponent has not substantially commenced the development within the specified period. This is intended to stop proponents from prematurely lodging applications to try and circumvent the prohibition, while ensuring that proponents who have progressed data centre developments prior to this Bill commencing will be able to continue their developments, as long as they have substantially commenced them within a reasonable period, under the law that applied at the time they made their application or had their permit granted.

The Bill removes appeal rights for data centre developments that have not been approved in compliance with this Bill.

The Bill prohibits someone from commencing civil proceedings on grounds that might otherwise be available to them in instances where a person or body is complying with the Bill.

The prohibition against approving large-scale data centre developments will cease in effect as soon as the safeguarding requirements mentioned above have been implemented.

The Bill can expire on a prescribed day, if approved by both Houses of Parliament. In any event, the Bill will expire on 31 December 2037, approximately ten years from the date of commencement.