

ANDREW THOMSON

WHITEMARK

TAS 7255

Building Designer CC590 R

Phone

email:

30 September 2026

Mr John Ramsay,
Executive Commissioner,
Tasmanian Planning Commission.

Re: **AM-FLI-AMD-2025-01**

Dear Mr Ramsay,

I stand by my submission of 6th July 2026 which Council declared as not having merit and I think that it still has validity.

I make this representation to address the change of mind by Council which advertised the proposed changes to the Coastal SAP site coverage performance criteria, in exactly the same wording as the TPC requested following its directions from the 22 January TPC hearing. Council received 6 representations that were all declared as having no merit. However, Council made its own submission that included changing the advertised proposal to include an additional clause to limit the performance criteria to an absolute maximum site coverage of 400m². Council's submission was the only submission deemed meritorious.

If Council is successful in acceptance of its absolute maximum of 400m² then I submit that this proposal will be required to be advertised again as it is a variation that no ratepayers have ever been made aware of and has potentially negative impact on many properties.

I welcome the original proposed amendments to add the performance criteria recommendations, as it provides for sensible development options on a case-by-case basis. The proposal for an absolute maximum site coverage of 400m² is too restrictive in cases that may comply with all other elements of the performance criteria. A case in point is the rural zoned 'Adela Park', 1229 Coast Road, a working farm whose total built infrastructure lies within the SAP. Its site coverage currently measures about 490m². Council's proposal will refuse any further sensible development of the farm and severely compromises the ability for the current owners to sell the property at a fair market price.

I question the validity of Council's due process in arriving at their site coverage absolute limit. At least one councillor (Cr Garry Blenkhorn) was totally unaware that Council officers had made the submission to the TPC that specifically recommended the 400m² limit, until he read it in the agenda for the 22 July Council meeting. September's Council meeting had a question on notice asking if all Councillors were aware of the wording of Council's submission before the agenda for July was published. The answers were confusing - please see attached extract from Council minutes. I have also been told that Council's submission was proposed by Council staff in a closed workshop that only 2 Councillors attended and that it then went straight to the July

agenda. There are no records of this matter or the TPC hearing being discussed in any Council workshops. Addressing the Resolution Report at the end of the September meeting Cr Blenkhorn asked several questions about the due process, but these and the answers have not been recorded in the written minutes.

I note that Council's Planner, Mr Purves, stated at this hearing that recent advances now make site measurements from high water mark readily plottable. I submit that unless a full revision of the imposition of the SAP3.0 is imminent, then changes should be made to require the 100m coverage be made from high water mark and not from the property title boundary. This would help address the stupidity of the SAP applying to some properties that are up to half a kilometre distant from the coast.

Yours Sincerely,

A large black rectangular box redacting the signature of Andrew Thomson.

Andrew Thomson
B.Arch

2 Acknowledgement of Country

The Mayor began by acknowledging the Traditional Owners of the land on which we met today, the palawa people of the Trawulwai Nation. We will recognise their connection to the land, waters and culture of this island, and pay respects to Elders past, and present.

3 Confirmation of Minutes

3.1 Minutes of the Ordinary Council Meeting 26 August 2026

Annexures Nil

RECOMMENDATION

That the Minutes from the Ordinary and Closed Council Meetings held on 26th August 2026 be confirmed.

DECISION

217.09.2026 Moved: Deputy Mayor Vanessa Grace Seconded: Cr Ken Stockton
That the Minutes from the Ordinary and Closed Council Meetings held on 26th August 2026 be confirmed.

CARRIED UNANIMOUSLY: (6-0)

Mayor Rachel Summers, Deputy Mayor Vanessa Grace, Cr Garry Blenkhorn, Cr Aaron Burke, Cr Carol Cox and Cr Ken Stockton.

4 Public Question Time

Question 1: Gerry Willis

1. I refer to the confirmed minutes of the ordinary council meeting held on 22 July 2026 and I ask whether Representation 6 from Flinders Council referred to in discussions on decision 145.07.2026 was approved by the Councillors acting as the Planning Authority or was it submitted only by council staff?
2. I also ask how many councillors were aware of Representation 6 before it appeared on the agenda for the July meeting.

Question 1: Mayors Response

1. Councillors acting as the Planning Authority approved Council's position through consideration of the Section 40K report at the meeting on 24 September 2025, under decision 261.09.2025. That report formed the basis of Representation 6, with staff adding technical comments addressing the performance criteria in the Tasmanian Planning Commission's subsequent direction. The Representation was therefore submitted by both Council and staff.

Following the Commission's decision, councillors discussed the matter at the workshop on 13 May 2026, including the proposed response and the process for making a representation. Staff then prepared and submitted the representation reflecting Council's established position and those discussions.

2. Councillors had not seen the exact wording of Representation 6 before it appeared in the July agenda. However, it was prepared on the basis of Council's approved position in the September 2025 section 40K report and subsequent workshop discussions, including those held on 13 May 2026.

Unconfirmed Minutes - Ordinary Council Meeting - 23 September 2026

PLEASE NOTE: While every attempt has been made to ensure the accuracy of these minutes, they are still subject to confirmation at the next meeting of Council and as such cannot be construed as an official record of this meeting, pursuant to Division 5 of the Local Government (Meeting Procedures) Regulations 2025, until endorsed at the next meeting.



Cr Blenkhorn wanted it noted that he did not fully approve the way Council went about it (representation 6), as it was submitted to the Commission before Councillors had the opportunity to complete a thorough review. He was under the impression that not every Councillor was in favour of what was submitted.

5 Response to Public Questions

No Public questions were asked at the 26 August 2026 Council meeting.

6 Councillors' Questions on Notice

6.1 Councillors' Questions on Notice

Nil received.

7 Councillors' Questions Without Notice

Question 1: Cr Carol Cox

On the corner of Henwood and Gunter Streets, in the village zone, there is apparent development works occurring that are rumoured to be for a fuel outlet. The works include an access onto Henwood Street right on the blind corner. Under the Tasmanian Planning scheme, a fuel sales outlet in the village zone is a discretionary use. To my knowledge there has been no Development Application advertised for that site. Could Council please advise the community on what development is occurring on that site?

Question 1: Mayors Response

The Development Services Manager was asked to respond to this question and provided the following response:

No development application has been received, and enforcement actions under LUPAA (*Land Use Planning and Approvals Act 1993*) have commenced.

8 Responses to Councillors' Questions Without Notice

8.1 Responses to Councillors' Questions Without Notice from 26 August 2026

No Councillor questions without notice were asked at the 26 August 2026 Council meeting.

9 Late Agenda Items

Nil

10 Declarations of Pecuniary Interest

11 Conflicts of Interest

Deputy Mayor Vanessa Grace declared a conflict of interest for item 20.1, Budget Variation – Council Asset – Pony Club yards.