

21 July 2026

Ms Clare Hynes
Acting Executive Commissioner
Tasmanian Planning Commission

via email: tpc@planning.tas.gov.au

Dear Ms Hynes

DRAFT AMENDMENT 01-2026 OF THE STATE PLANNING PROVISIONS - SECONDARY RESIDENCES

Thank you for the opportunity to provide representation on the above draft amendment. While the City of Clarence provided comment during the informal consultation phase, we now provide commentary based on the proposed draft amendment as exhibited.

Our position remains that the increase to the size of secondary residences is unwarranted and will further entrench, particularly in urban areas, poor quality and poorly considered housing options. This is because:

- It lessens the imperative to consider lot consolidation and medium density (or higher than existing density) options, particularly in older or aging suburbs.
- It will provide significantly more opportunity for conversion to viable Visitor Accommodation options capable of meeting the Acceptable Solutions of the Tasmanian Planning Scheme (and therefore unable to be conditioned or refused), and
- It provides little to no assessment against (what should be) relevant criteria under the provisions of the Tasmanian Planning Scheme as it will fall outside the definition of a “dwelling”.

Without prejudice, I have outlined several areas of concern with the specific wording of the amendment.

- **Inclusion of “subordinate”**

The inclusion of the term subordinate is unnecessary. Previously the size of the dwelling provided this comparative relationship. However, the city of Clarence has many areas, mainly due to historical Department of Housing developments, where the dominant housing typology is a single-storey weatherboard dwelling of approximately 100m² - 110m². A secondary residence of almost the same size will not be subordinate. The introduction of this word to further qualify a relationship will not



improve the interpretation of clear distinctions based on size and sharing of services, but further complicate it by requiring a subjective test to comply with the definition.

Furthermore, this potentially provides conflict with the consideration of subservient uses to be considered within a single use class (Section 6.2 of the TPS) and the concept of a subservient use to another use within the same use class.

- **Consideration of separate use**

It is understood that the intention of the amendment is to acknowledge that a Secondary Residence is a separate use within the Residential Use Class, distinct from that of a single dwelling. To date the interpretation was that it had the same status as a single dwelling.

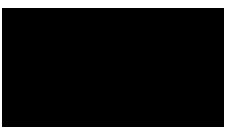
Accordingly, the status of this use needs to be acknowledged within the use table for each zone. The consequence is, and this should have been acknowledged due to the proliferation of Specific Area Plans (SAPs) approved or imposed by the Tasmanian Planning Commission, is that each SAP in a LPS that has an overriding use table will also have to be similarly amended, or they will be inconsistent with the State Planning Provisions. This would require a direction of the Minister under s40C of the *Land Use Planning and Approvals Act 1993*, application by each planning authority, an exemption under s40I of the Act and a determination by the Commission. This is an incredibly convoluted way to fix this issue.

A simpler suggestion would be to include the use of secondary residence as part of the definition of single dwelling to include *“one dwelling on a lot. This use may or may not include an associated secondary residence”*. This would therefore require no changes to any use tables.

This would also clarify that a single dwelling (with an associated secondary residence) would not meet the definition of “multiple dwellings” which apply to two or more dwellings on a site. The inclusion of a secondary residence into the dominant use of single dwelling would also ensure that the development standards which apply to a dwelling would also apply a secondary residence as part of that dwelling.

If you have any queries, please contact Daniel Marr, Head of City Planning, on (03) 6217 9550 who will be happy to assist.

Yours sincerely



Daniel Marr
HEAD of CITY PLANNING