

ANDREW THOMSON

WHITEMARK

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6th July 2026

Mr Warren Groves,
General Manager,
Flinders Council.

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

Dear Mr Groves,

I would like to make the following submission concerning the “Direction to Exhibit substantially modified amendment FLI-AM-2025-01”.

There has been a long running discussion about the legitimacy of the imposition of FLI-S3.0 around the whole of the Island – that it was adopted without it appearing on any maps during the public consultation period from 2 June to 2 August 2021, so the vast majority made no submissions about it during that process period.

Its impact was only generally discovered after Wendy Jubb-Stoney made a development application and Council’s planning consultant presented the FLI-S3.0 as a refusal to the DA, and at this stage it was still not visible on any Council website accessible maps. It is evident that current Council officers were also unaware of its extent when it was pointed out to them that the Airport was subject to the SAP and subsequently Council initiated their SAP Amendment 2025.01. Their excuse that it was unintentionally applied in this particular instance could arguably be extended to all affected properties whose owners were never aware of it until well after adoption of the new Planning Scheme.

As evidence of this lack of visibility, I was managing a client’s Development Application at this transition period and Rebecca Green and Associates had been engaged by the properties’ owner to make a submission to the TPC for the LPS hearings. Rebecca Green’s submission spoke to proposed rezoning implications but failed to recognise that this SAP would later appear over the properties. Rebecca confirmed recently that she found no mapping of the Coastal Areas SAP from the advertised material during the statutory exhibition period from 2 June to 2 August 2021. In hindsight it is possible that the maps were accessible from the TPC website, but *not* the Council website.

The TPC’s Flinders Draft LPS – DECISION presents and addresses all public submissions. From the List of Representations and Submissions, there were nine representors (Numbers 3, 8, 11, 12, 15, 24, 27, 29 & 35) who made specific submissions about the proposed planning scheme changes to their properties without mentioning anything about FLI-S3.0 but to discover later that the Coastal Areas SAP impacted all their properties. One property in particular is of note (Item 297 – 301) where Wendy Jubb-Stoney “did not seek any changes to the draft LPS”. She lodged a DA for a new house and shed and ancillary development several months later and it was refused for non-compliance with FLI-S.3.0. It is evident that none of these representors were aware of the Coastal Areas SAP because its mapping was not included in the advertised material presented by the Flinders Planning Authority during the exhibition period.

At the time of exhibition I took a great deal of interest in the process and downloaded all of the relevant documents from the website. These documents did not include what I later came to recognise as the 47 page Specific Area Plan Maps which are dated 16/4/2019 and had been hastily adopted at the Council meeting on 21 May 2019 and remained “hidden in plain sight” in an oversize agenda library of 33 documents. There were major changes to Council staffing at this meeting which may have had an impact on the required exhibition of these maps.

If I had been able to see these maps, I would certainly have made a submission against the Coastal Area SAP as it was shown as enveloping all of the Franklin Parade and Coast Road properties inside the township of Lady Barron, including my house. I would most probably have written a warning letter in the Island News and encouraged all affected landowners to lodge submissions to the TPC. I expect there would have been close to 100 extra submissions.

I believe that the Coastal Area SAP should be opened to review for its extent and its regulations, that it is overly prescriptive and that there are too many anomalies, such as:

- It is not site specific – some blocks slope away from the coast and development would not be visible from the water.
- It is applied to some blocks that are half a kilometre away from the waterline.
- Some of its development standards are non-sensical – you could build a 60m long house facing the sea, that is 5m deep and 5m tall and it would comply.
- It is applied to at least one existing working farm that is now prohibited from future upgrading or expansion of its production facilities.
- Compliance will force many new developments further uphill into higher visual impact areas.

I note that in this current submission Council as planning authority “stated it would prefer to consider removal of the SAP from other land separately” and that the “planning authority also stated it intended to review the SAP more extensively”. The TPC also recommends that some priority be given to a review of the spatial application of the SAP.

I request that Council *does* follow through with its intention to review the imposition of the SAP separately and that this should happen sooner than later, and that it starts off with a public meeting *before* it goes into closed workshops.

Yours Sincerely,

A solid black rectangular box used to redact the signature of Andrew Thomson.

Andrew Thomson
B.Arch