

6 July 2026

Tasmanian Planning Commission
Delegated Assessment Panel
Via: tpc@planning.tas.gov.au

Dear Sir/Madam

AM2025-01 Coastal Areas Specific Area Plan - Representation to Exhibition

The following representation is provided on behalf of the Councillors and staff of Flinders Council.

The exhibited amendment (certified 29 May 2026) AM2025-01 seeks to remove FLI-S3.0 Coastal Areas Specific Area Plan (SAP) from various locations, including the Bootjack Flats drain near Lady Barron, identified by items 4.0 through 9.0 inclusive in the exhibited document. Those components of AM2025-01 are supported. The changes are consistent with the intent of AM2025-01 as initiated by the Planning Authority.

As exhibited, the amendment also seeks to introduce amendments to the written ordinance relating to FLI-S3.0 Coastal Areas SAP including Section 1 to define the term 'site coverage'. We restate our objections to section 1 as any such definition should be revised in '3.0 Interpretation' section of the State Planning Provisions. If it must remain, the Commission should be responsible for any future maintenance of the definition within the SAP.

Further, the amendment proposes to include a performance criteria for the site coverage controls, identified by item 3.0 - FLI-S3.7.2 Site Coverage – Performance Criteria P1. We find this objectionable given that this matter has not been consulted with the community or the Planning Authority.

Items 1.0 and 3.0 of the exhibited amendment are not supported. The justification provided by the delegates in the decision issued by the Tasmanian Planning Commission on 15 April 2026 appears **not** to be based on strategic consideration of the matter. Parts of the decision suggest that the changes are effectively in response to representations lodged by a single property owner, who was not originally affected by the proposed amendment, while other parts of the decision appear to suggest that it was to reintroduce discretions that were removed by the Commission in the assessment of the Local Provisions Schedule (LPS).

The lack of strategic justification for sections 1.0 to 3.0 of AM2025-01 is in stark contrast to the extensive reporting, consultation and supporting documentation that Council, in its role as a planning authority, is required to provide when it seeks a planning scheme amendment.

Neither sections 1.0 to 3.0 of AM2025-01, nor the 15 April decision, provide any examination of the strategic basis for the lack of performance criteria following on from the provisions of the *Flinders Planning Scheme 2000*.

The Flinders Community and Council all recall planning permits being issued, under the previous planning scheme, for proposals that caused significant impacts to the visual amenity of the coastline around the Island. This recollection was a significant part of the LPS consultation and resulted in the development of *FLI-S3.0 Coastal Areas Specific Area Plan* – the subject matter of this amendment.

Those discussions also formed part of the consultation for the draft Flinders Structure Plan which resulted in no performance criteria being provided for the subject provisions.

Planning Scheme amendments must comply with the Schedule 1 objectives of the Act. Part 1 of the Schedule states the following:

1. *The objectives of the resource management and planning system of Tasmania are –*
 - (a) *to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and*
 - (b) *to provide for the fair, orderly and sustainable use and development of air, land and water; and*
 - (c) *to encourage public involvement in resource management and planning; and*
 - (d) *to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c) ; and*
 - (e) *to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.*

It is submitted herewith that parts 1.0 to 3.0 of the exhibited AM2025-01 do not provide for achievement of objectives (b), (c) and (e) in Part 1 of the Schedule 1 objectives.

Part 2 of Schedule 1 provides the following objectives for the planning process established under the Act:

- (a) *to require sound strategic planning and coordinated action by State and local government; and*
- (b) *to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and*
- (c) *to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and*
- (d) *to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and*
- (e) *to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and*
- (f) *to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and*
- (g) *to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and*
- (h) *to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and*
- (i) *to provide a planning framework which fully considers land capability.*

This representation submits that primarily part 3.0 of the exhibited AM2025-01 does not provide for achievement of objectives (a), (c), (f) and (g) in Part 2 of the Schedule 1 .

For the reasons set out within this representation, it is requested that parts 4.0 to 9.0 of AM2025-01 are approved and part 3.0 are **refused**.

If the Commission is of a mind to approve parts 1.0 through 3.0 inclusive, we submit that the following changes are required:

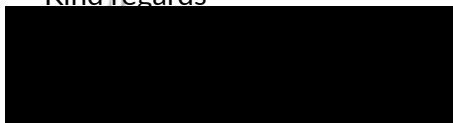
- *The site coverage must minimise impacts of development on the natural appearance of the area, must not be obtrusive and **must not** have an unreasonable impact on the visual...*
- a new criterion (h) is added to clause 3.1 to establish an upper limit for development of 400m².

As representations were received regarding the exhibition of AM2025-01, we also request:

1. that there is a hearing into the representations; and
2. that the hearing is held on Flinders Island to ensure that locals and/or the Council are not put to any undue physical, financial or procedural disadvantage for participation in the hearing process.

I thank you your time to consider this representation to AM2025-01.

Kind regards



Jacqui Smith'

Development Services Manager