

22 July 2026

Tasmanian Planning Commission
GPO Box 1691
HOBART TAS 7001
Via: tpc@planning.tas.gov.au

Dear Sir/Madam

AM-SPP-01-2026 to the State Planning Provisions – Secondary Residences

The following submission to the statutory exhibition of Draft Amendment AM-SPP-01-2026 to the State Planning Provisions – Secondary Residences (AM 01-2026) is provided by staff of Flinders Council.

While we welcome informed planning reforms based on strategy and sound data, we note that AM01-2026 was the result of election promises and did not follow the normal development process. The argument for the changes is therefore weak and does not reflect the operational issues that Planning Authorities deal with in this space.

We provide the following points, on the draft amendment, for consideration by the delegates:

Part 1

1. Definition

Criterion a Increase in floor area – we note this was the primary election commitment and represents a 50% increase in the size of second dwellings. The lack of substantive data to support this is evident, as is the lack of information on the impacts of this change to both the nature of these dwellings and the potential impacts to the single dwelling on the same title. The amenity impacts to both the single dwelling and surrounding dwellings is not determined.

Better amenity standards are required to reflect the increased opportunity for these houses, particularly around open space, solar access and functional privacy for both the proposed secondary residence and associated single dwelling on the same lot.

Criterion b appurtenant is an unclear term that causes constant debate and argument. Secondary residences are often detached from the single dwelling. Secondary Dwellings in non-urban areas are often appropriate being remote from the single dwelling, which is possible under the proposed criterion d.

Define the term Appurtenant, or establish a better test.

Criterion d requires shared gas and electricity connections and meters with the main house. Councils have no role in regulation of gas and electricity connections and meters and cannot control any changes to them.

A better linkage to the main dwelling is required.

Part 2

2 though 9 inclusive

References in use tables and development standards are, **by definition**, redundant.

The definition of single dwelling includes secondary residence, just like outbuildings or garages. They are either part of the single dwellings, or they are multiple dwellings.

The proposed changes are likely to increase the demands by owners for strata or freehold subdivision, better economic returns and complaints that Council just being a blockage to housing.

Our experience is that these parts of AM01-2026 will be more confusing for the general users of planning schemes and increase unnecessary conflict directed at Councils and staff.

References to Secondary Residences in these sections of AM01-2026 must be refused.

11 Car parking

Standards are required for secondary dwellings outside urban areas, as most of Tasmania has poor or no access to public and/or non-vehicular transport options.

A better option may be to require no dedicated car parking for secondary residences up to 60m² or 2 bedrooms, but that any secondary residences above those thresholds require a single parking space where they do not have ready access to public transport, designated areas or zones or alternative options. For clarity, Flinders Island does not have public transport.

Other matters

Strata subdivision of secondary dwellings requires a clear prohibition under the Scheme, as the SPP provisions do not recognise strata lots and the *Strata Titles Act* does not require dwellings to be self-contained, but simply have the required approvals and certificates. This is a never ending debate that requires clarification.

The exemption at 4.6.18 must be revised to specifically prohibit application to secondary dwellings, or a new criterion established in the definition to require that secondary residences cannot be separated from the associated single dwelling by strata. Both would be better.

Policy impacts of AM01-2026 are likely to be more extensive than the supporting report suggests, as more substantial dwellings can be established through this process that will impact both the subject and surrounding sites in urban and other areas.

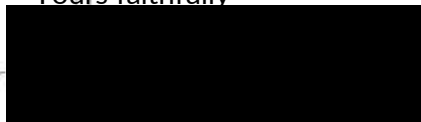
AM01-2026 is an ad-hoc political response that fails to address the larger issues with housing availability and affordability in Tasmania generally, and on Flinders Island specifically.

We note the general lack of action and/or delays on other planning reforms that the State has committed to and the sector has worked with the State Planning Office to progress, over these political priorities. We do not know what the outcomes were of the now completed review of the State Planning Provisions, nor what the amendments to the SPP that result from that project or their associated timelines are.

We request that the matters raised in this submission are addressed by the delegates in order to increase the function of AM01-2026 once it commences operation and increase compliance with Part 2 of the Schedule 1 Objectives of the Act and planning system, particularly criteria a, b, d and e.

Please contact our General Manager, Warren Groves, or myself with any queries on this submission.

Yours faithfully

A large black rectangular redaction box covering the signature of Jacqui Smith.

Jacqui Smith

Development Services Manager