

TASMANIAN PLANNING COMMISSION



Our ref: DOC/26/111110
Officer: Odin Kelly
Phone: 6165 6803
Email: tpc@planning.tas.gov.au

21 September 2026

Mr Sean McPhail
Acting Director
State Planning Office

Attention: Nell Nettleford
Claire Wolf

By email: spo@stateplanning.tas.gov.au

Dear Mr McPhail,

State Planning Provisions Draft amendment 01-2026 Secondary Residence

I refer to the above draft amendment and to a hearing held at the Commission's office in Hobart on 16 and 17 September 2026.

The Commission requires further clarification regarding the intended policy outcomes of components of the draft amendment. Accordingly, the Commission directs the State Planning Office (SPO) to provide a submission responding to the matters set out below:

1. In light of matters raised at the hearing, is it the policy intention that the draft amendment should operate to preclude the conversion of a primary residence and secondary residence to strata title? If so, does the current definition achieve this? If not, should additional words be considered? If so, the Commission would be assisted with the provision of any additional words.
2. Should subparagraph (c) of the proposed 'secondary residence' definition be amended to include the specific requirement that 'private open space' should be shared with the single dwelling?
3. At the hearing, there was a general consensus expressed by representors that the use of the word 'subordinate' in the definition of secondary residence was open to different interpretations which resulted in it not achieving the objective of clarifying the relationship between the primary and secondary residence. Will the definition operate effectively if the word 'subordinate' is removed? If so, would a definition of 'appurtenant' assist in achieving the policy intent if 'subordinate' was removed?

4. At the hearing, it was suggested that a definition for 'appurtenant' should be added to the draft amendment, and for this term to be defined as 'attached to, near to, in proximity or within the curtilage'. Do the SPO support this suggestion? If so, should it be a general definition in the SPPs or a definition for the purposes of this draft amendment only?

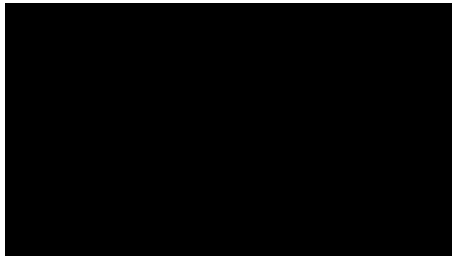
Submissions must be made by email to tpc@planning.tas.gov.au by Monday 5 October 2026. Once received, the submissions referred to above will be made available under the [relevant assessment](#)¹ on the Commission's website.

Parties are invited to provide any response submissions by Wednesday 14 October 2026.

If the hearing is to be reconvened, the Commission will advise the parties and publish a notice.

If you require further information please contact Odin Kelly, Planning Adviser, on 6165 6803.

Yours sincerely



John Ramsay
Delegate (Chair)

CC: all parties

¹ <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/am-spp-01-2026#info-hearings>