Local Government Association Tasmania

Our Ref: JS | LO'L

17 April 2026

Sean McPhail
Acting Director
State Planning Office

Sent via email: haveyoursay@stateplanning.tas.gov.au;

Dear Sean,

Draft Amendment 01-2026 to the State Planning Provisions – Secondary Residences

Thank you for the opportunity to provide a submission on Draft Amendment 01-2026 to the State Planning Provisions – Secondary Residences. This submission has been prepared by the Local Government Association of Tasmania (LGAT) on behalf of Tasmanian local government in collaboration with our members; all 29 councils.

LGAT is incorporated under the *Local Government Act 1993* and is the representative body and advocate for local government in Tasmania. Where a council has made a direct submission to this process, any omission of specific comments made by that council in this submission should not be viewed as lack of support by LGAT.

Local government supports the overall intent of the draft amendment. Councils generally view secondary residences as an important mechanism to support housing diversity, ageing in place, multigenerational living and smaller household rental options, particularly where they can be accommodated on existing lots without subdivision or significant new infrastructure requirements. We support amendments that improve the functionality of secondary residences where they can support strategic objectives of the Tasmanian Planning Policies, such as the efficient use of serviced land, gentle density infill, and providing a diverse range of housing types within settlements.

A number of matters that require further clarification are detailed below.

Definition of a secondary residence
The terms "appurtenant" and "subordinate" are included without measurable or clearly articulated parameters. Councils have noted that, in the absence of quantifiable guidance, these qualitative concepts may be applied inconsistently between planning authorities and decision-makers. We support further consideration of how these terms are best defined or supported by measurable criteria and the development of guidance material to allow for consistent interpretation across the state.

Subordinate test of a secondary residence
Councils raised concerns around the operation of the subordinate test where the existing primary dwelling on a lot is relatively small. Under the current drafting, a secondary residence constructed up to the 90 m^2 cap could be equal to, or larger than, the primary dwelling, particularly in rural, lifestyle or tiny-home contexts. We support further consideration to ensure that the intent of subordinacy is maintained in all circumstances.

Proximity and separation guidance
Councils raised the absence of proximity or separation guidance between secondary residences and primary dwellings, particularly on large lots in rural and agricultural zones. This adds to issues raised in situations where reticulated utilities or services are not available. Without such guidance, there is potential for unintended impacts on land capability, cumulative residential footprint and long-term site function. We support further consideration of whether additional guidance or zone-sensitive controls are required to manage these outcomes.

Servicing and infrastructure
Councils have highlighted practical issues associated with servicing and infrastructure, such as the capacity of onsite wastewater management in unsewered areas, particularly where secondary residences benefit from No Permit Required status. We support further work to ensure that servicing capacity and infrastructure constraints are appropriately considered and communicated within the planning framework.

Local government supports the direction of Draft Amendment 01-2026 and encourages continued collaboration with councils to refine the amendments and develop associated guidance to ensure it delivers improved housing outcomes while maintaining clarity, consistency and alignment with strategic planning objectives.

Please contact Jon Stanger if you have any questions or would like further information, at jon.stanger@lgat.tas.gov.au or 0437 374 125.

Yours sincerely



Dion Lester
CHIEF EXECUTIVE OFFICER