
From: Fi & Dan Mason [REDACTED]
Sent: Saturday, 2 May 2026 12:21 PM
To: Kingborough LPS
Subject: [REDACTED] - Mason & Mason - No LCZ Letter
Attachments: TPC letter NO LCZ - DFM (1).docx

Please find attached our formal submission in response to the proposed rezoning of our property, objecting to the LCZ.

Please contact us immediately if you have any difficulty accessing the attached file

Kind regards

Daniel & Fiona Mason



Virus-free. www.avast.com

Name(s)	Daniel John Mason Fiona Mason
Date	28/4/26
Property Address	██████████, Woodbridge
Requested Zone	Rural Living Zone A (Preferred); Rural

To the Tasmanian Planning Commission,

Hello, our names are Daniel and Fiona Mason. Thank you for the chance to speak about our property at ██████████, Woodbridge.

We object to its rezoning under the Kingborough Draft LPS and/or Irenelnc review to the Landscape Conservation Zone (LCZ). Applying LCZ is inconsistent with section 34 of the Land Use Planning and Approvals Act 1993 (LUPAA), the LPS Section 8A Guideline No. 1, and the Southern Tasmania Regional Land Use Strategy (STRLUS).

Rural Living Zone (RLZ) A (minimum lot size 1 ha) or Rural Zone would be more suitable. I respectfully ask the Commission to apply this zone, in line with the intentions of the original purchase, zoning allowances, and the site's current or future residential use. "Rural" is also proposed in the Irenelnc Review for adjoining properties ██████████ and ██████████ although most of these properties are substantially larger.



We purchased our title in 2018, with a dwelling that was built and occupied since 1910. We bought it for multigenerational living, originally moving in with 3 generations; ourselves, a parent and our children. With one child having a disability, it is likely that he will live with us an adult. We intend to both provide adequate living space for our extended family and potentially leave an adequate inheritance to support his future living.

While we agree that Tasmania's landscapes should be protected, we believe it can be done best through Rural Living or Rural Zone as it has been done historically, the property being part of a larger berry farm and ranch that was subdivided in the mid 2010s. Rezoning to LCZ would harm our continuous use of the land as allowed when purchased and our intended future.

LCZ DOES NOT COMPLY WITH LUPAA ZONE GUIDELINES

Section 34 of LUPAA says the Commission must check if the LPS meets the Act's criteria, including zone guidelines. LCZ 4(a) states that LCZ should NOT be used where the land's '**priority is for residential use and development**'. The guidelines say LCZ is not for large residential lots 'characterised by native vegetation cover and other landscape values.'

When originally purchased, our property was zoned Rural and this is the current zoning. The **primary use and strategic intention of the land is residential**. It has a dwelling, erected in 1910 in a natural clearing, has been occupied continuously, and is serviced by electricity and telecommunications. There's no evidence that the land's primary use is anything other than residential.

The LUPAA guidelines also suggest that LCZ is not a replacement for the Rural Zone. The zone purposes don't match: the Rural priority is to support rural-residential use and support agriculture, but LCZ prioritises landscape conservation.

Neither the draft LPS nor IreneInc's review has provided detailed, site-specific reasons for changing our land's priority. They based their decision on general landscape values and rural settlement judgments, neither of which had community input.

LCZ DOES NOT COMPLY WITH LUPAA OBJECTIVES

LUPAA Schedule 1, Objective (b), aims for 'fair, orderly, and sustainable' land use. Applying LCZ conflicts with this objective. Applying LCZ represents a **net reduction** in existing land use rights. The clear majority of Tasmanian councils moving to the Statewide Planning Scheme applied the LCZ sparingly or not at all. Only a few used it moderately or heavily. Most councils (such as Tasman) translated Rural zone directly to Rural or Rural Living Zone, yet IreneInc chose as their model three councils that applied LCZ heavily.

Many councils, including Kingborough in 2019, recognised that LCZ could lower property value, affect insurance and finance – not meeting the goal of sustainable development that supports communities to provide for their **social, economic** and cultural well-being...' (clause 1 (a), Schedule 1 – Objectives).

RLZ IS THE APPROPRIATE ZONE

RLZ Guideline RLZ 1(a) suggests the RLZ should be applied to residential areas with larger lots used for residential and lower order rural activities, while prioritising residential amenity. This would fit my property.

RLZ Guideline RLZ 2(b) states RLZ may be applied to land where the primary strategic intention is for residential use in a rural setting and a similar minimum allowable lot size is being applied. My property's size of 1.57 ha aligns with RLZ A with a minimum lot size of 1ha. **This is clearer a better match than LCZ, with a minimum lot size of 50ha.**

THE IRENEINC EVALUATION PATHWAY (DECISION TREE)

IreneInc uses a decision tree to decide zones. On Day 2 of the review hearing, the Commission was told that it is a tool, not a rule [Kate Heckelmann, 05:53:00], and alternatives can be used with good evidence. Even so, applying the evaluation pathway correctly, my property meets the RLZ criteria rather than LCZ.

EVIDENCE OF STRATEGIC INTENT FOR LIVING

Both the original LPS and IrenelInc's report lack clear definitions of "primary strategic intent." They ignore existing rural-residential settlements, historical land use, cultural attachment, community ties, and intergenerational living. Neither STRLUS nor the Kingborough Strategic Plan restrict rural living growth. Past land allocations, subdivision approvals, and development applications show that residential use is the 'strategic intent' of the land. The review for my locality (Woodbridge) is stated as meeting strategic intent for living. My property has an established dwelling, outbuildings, and signs of residential activity.

EVIDENCE OF RURAL LIVING SETTLEMENT

IrenelInc's review states that our location in the Woodbridge community "have some characteristics of a rural living settlement", however Rural Living Settlement status has been mostly denied, due to properties nearby larger lots being more suitable for Rural Zone.

This assessment appears biased, primarily due to two judgments. First, it favours smaller lot sizes, like ours but only where they are in a group of similar lots. The nature of our subdivision from an original large farm means that it has historically been included in Rural zoning despite being smaller and used for lower level rural activity.

Secondly, the 'consistent pattern' is only recognised if it resembles urban cul-de-sacs or road clusters, ignoring rural and lifestyle properties that are naturally sited around topographical features, or inherited large lots. For example, in our neighbourhood there is a clear pattern of subdivision, on a Northeast to Southwest alignment with Woodbridge Hill.

These biases overlook the fact that residents live just minutes from Woodbridge township, where they shop, support local businesses, send children to school, recreate, and work. The reliance on a desktop analysis, which can't see beyond tree canopies and often lacks on-the-ground insight, leads to subjective judgments about rural settlements.

Without applying rural living settlement criteria consistently and with ground-truthing, the evaluation then fails to consider whether landscape values can be managed through planning codes **nor recommends any other outcome than LCZ**, unless the area has no landscape values, which is unlikely given its rural nature and the subjective, non-consulted definition of 'landscape values'.

We **strongly disagree** with IrenelInc's narrow assessment and can demonstrate that our land meets all three rural living settlement characteristics:

1. A pattern of at least 10 smaller blocks, generally between 1–15 ha, with a consistent lot pattern. Properties from the bottom of [REDACTED] and [REDACTED] are zoned RLZ. If following these roads to our property, all the roadside lots meet this RLZ criteria, yet at some point they have converted to Rural.
2. A pattern of 'detached dwellings and outbuildings'. Our land has a residential dwelling, one large shed approximately 100m², two tools sheds and a very old chook shed.
3. Visual evidence of rural activities such as 'clearings, grazing and hobby farming etc'. At the review hearing, it was clarified that the criteria list is only an example. My property shows large cleared areas, native grazing for wallabies and pademelons, domestic pets, and areas of cottage garden rejuvenation. We have spent a large amount of time and effort to rehabilitate our land since bushfires increased pest species.

ASSESSING LANDSCAPE VALUES

The STRLUS CV 4.1 states that **community consultation** should determine landscape values. IrenelInc admits in review hearings that they didn't consult. This means the assessment of whether properties meet 'landscape values' is now entirely based on the Planning Authority's judgment.

IreneInc's choice of dictionary terms 'hilly places' and 'bushland,' and focus on tree-centric descriptions, i.e.: 'predominantly bushland,' 'allotments set within native bushland,' 'dwellings are ... nestled into vegetation,' and 'bushland backdrop' are the main basis for our locality's landscape values.

This overlooks the value of other features like waterways, fields, foraging areas, and the importance of varied terrain (grasslands, clearings, open areas, trails) for different species habitat. Such diversity is vital for a healthy rural or biodiverse landscape and aligns with evidence that people prefer varied scenery, including homesteads, sheds, and domestic animals.

The lack of consultation and reliance on terminology that favours the Planning Authority's narrow definition results in a flawed or biased assessment:

1. Large areas of bushland and vegetation alone do not justify LC zoning. As confirmed at the TPC review hearing on 14/4/26, "LCZ is not for managing vegetation—that is the role of the Natural Assets Code", which applies to all land. IreneInc stated that for properties in our area proposed RLZ, overlays will likely (and logically) protect the natural values they identify.
2. Describing dwellings and large lots around topography as 'scattered' implies no strategic planning or intent, which is untrue. There is clearly a pattern of dwellings located around the topography of [REDACTED].
3. Biased reasoning: noting large vegetated spaces on rural properties (and comparatively less dwelling area, as set by development criteria) is worded in the report as though this is a choice or evidence that OUR preference was conservation over living: "integration of residential use ... is largely within a small proportion of a parcel", "the remaining natural setting reinforces the area's natural values".
4. Owning private property in natural settings doesn't mean residents prioritise landscape conservation over residential amenity. IreneInc implies this repeatedly, both in review references to "built form" being "secondary to the natural landscape" and, in hearings, that lots in bushland reinforce or "contribute" to the area's "natural values". We purchased our home in a natural setting because we **value the contribution this makes to our Rural Living**, not to add to Kingborough's undefined scenic or "landscape values".
5. IreneInc relied on overlays in a desktop assessment to identify landscape or environmental features across the locality, ignoring the challenges of topography and identifying these (i.e., through the tree canopy) by aerial images alone. Evidence-based alternative reports or maps of individual properties are needed.
6. The scenic protection overlay is broadly applied to properties over 100m above sea level. The photos used in the report, sourced from realestate.com, are aerial shots intended for sale and don't accurately reflect what is seen from local roads, towns, or waterways. The reality is that the siting of our home means that the bushland can't be seen from these vantage points.

BALANCING LANDSCAPE VALUES AND LAND USE

In their s35F report, Kingborough council states that applying the Rural Living zone to rural residential areas **may** "risk that the predominant land use pattern and characteristics of the area could be eroded over time...". This ignores the long-standing rural nature of the area and the fact that rezoning to LCZ would significantly restrict ongoing private land use, **absolutely guaranteeing** a change in "character and amenity".

The report notes risk ratings for RLZ in this locality but doesn't specify what those risks are, how **likely** they are considering the topography, vegetation, and existing settlement patterns, or whether they could be managed through overlay codes, SAPs, or other mechanisms. IreneInc acknowledged that future reviews could reconsider decisions, and that any short-term risks could be mitigated. This supports the case that RLZ or Rural Zone are more appropriate for my land, not LCZ.

At the review hearings, Kate Heckelmann admitted there are no land uses that would impact landscape values which aren't already managed by building codes or overlays. This suggests overlaps through stricter zoning isn't necessary because landscape "values can be appropriately **managed through the application and operation of the relevant codes**" (Kingborough LPS guidelines, RLZ 4b). This is also relevant for Rural Zone.

Assuming LCZ is the only way to protect generic 'landscape values' ignores existing land management, bushfire mitigation efforts, biodiversity initiatives, and conflicts with the intent of the evaluation pathway of **balancing** landscape protection with existing land uses. It is illogical to rezone properties to LCZ to 'protect' the landscape that we've proven we can already care for on our own.

IreneInc suggest that LCZ zoning near Recreation Areas is necessary to provide connectivity to the EMZ and act as a buffer between living zones. Not only have National Parks (EMZs) already been put aside for state management across over 50% of Tasmania, nearly every other Tasmanian council placed other living zones: Rural Living, Residential, Rural, Agricultural, and even Industrial zones next to National Parks or EMZs. It is also contradictory to the placement of Rural lots next to Woodbridge Hill Conservation area.

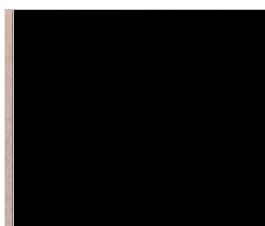
Rural and Rural Residential owners provide a significant free workforce to manage areas on the interface of bush, coast, country and town. They need to be able to continue to mitigate natural disaster, care for native species, maintain trails, carriage ways and fire access, and remove invasive pests, which is at risk in the LCZ. Our efforts help protect biodiversity, reduce financial and disaster risks, and improve resilience and food security for all - work that cannot be replaced by council staff or State Parks and Wildlife service.

SUMMARY

Throughout the LPS process, Kingborough Council has failed to consult the community and has not followed the objectives of LUPAA, which emphasise fair land use and community involvement. Their focus on environmental protection seems aimed at removing private land rights, which risks long-term harm to residents' well-being and creating potential future financial and legal challenges.

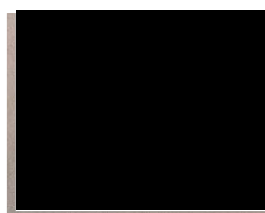
I appreciate the TPC taking heed of the concerns within this letter and respectfully ask for rezoning properties to more restrictive zones to stop. Specifically, I request that the TPC direct my property to be zoned from Rural to the Rural Living Zone A or Rural Zone, with environmental priorities managed by existing natural values codes.

Yours sincerely,



Daniel John Edward Mason

02/05/2026



Fiona Joanne Mason

02/05/2026

 Woodbridge

02/05/2026

Send to: KingboroughLPS@planning.tas.gov.au