
From: Dale Wallace <[REDACTED]>
Sent: Thursday, 23 April 2026 3:51 PM
To: Kingborough LPS
Subject: CM: [REDACTED] CT [REDACTED]
Attachments: To the Tasmanian Planning Commission.pdf

To whom it may concern.
Please see attached document.

Kind regards
Dale Wallace

To the Tasmanian Planning Commission,

Re: Draft Kingborough Local Provisions Schedule (LPS) – Representation regarding zoning of [REDACTED], [Margate](#) (CT [REDACTED])

I write to make a formal representation in relation to the recommendations contained within the Ireneinc report and the proposed zoning of my property.

I strongly object to the application of the Landscape Conservation Zone, including the proposed split zoning between Landscape Conservation and Rural, to the above property.

The property has a total area of 17.68 Ha, and the zone I am seeking is **Rural Living Zone D**, which carries a minimum lot size of 10 Ha.

Established and Ongoing Agricultural Use

The land has been owned and actively farmed by my family for over 60 years and forms part of a broader, contiguous family landholding. The current and historical use of the land is clearly agricultural in nature, and this use remains viable and appropriate.

The application of a Landscape Conservation Zone is inconsistent with the demonstrated and ongoing productive use of the land. The scale and pattern of this long-standing family use is consistent with the rural living character of the surrounding area rather than commercial agriculture at scale — which is why Rural Living Zone D, rather than Rural Zone or LCZ, is the appropriate classification for this title.

Statutory Support for Rural Living Zone D

The Zone Guidelines at RLZ 2(b) expressly provide for the transition of ELZ land to RLZ where the primary strategic intention is residential use in a rural setting and a similar minimum allowable lot size is applied — giving RLZ D (10 Ha minimum) as the specific worked example. With [REDACTED] at 17.68 Ha, the existing ELZ lot-size threshold is preserved exactly under RLZ D.

Inconsistency with Surrounding Land

The subject land adjoins other landholdings within the same family and is part of a wider rural landscape. The proposed zoning introduces an artificial and impractical split across the title, which does not reflect how the land is used or managed in practice.

This creates an unreasonable planning outcome and potential land use conflict within a single title. I further understand that other representations have been made in relation to properties along Lawless Road raising similar concerns about the application of LCZ where the character, overlays and existing use support RLZ. This is not an isolated concern — it is part of a broader pattern along the Lawless Road corridor that warrants consideration as a locality-wide issue.

Map-Based Inconsistency and Arbitrary Boundary

A review of the Kingborough Council interactive mapping and the zoning maps provided with the draft LPS indicates that the proposed split zoning appears to follow an arbitrary line across the property rather than responding to clearly identifiable physical features such as topography, vegetation boundaries, existing land use, or infrastructure.

The mapping does not demonstrate a logical planning basis for dividing the land into separate zones. The property functions as a single, cohesive rural holding, and the introduction of multiple zones within the one title creates unnecessary complexity and inefficiency in land management. Split zoning across a single title imposes ongoing administrative burden without any corresponding planning benefit, and the whole title should receive a single, consistent zone that reflects the way the land is actually used and managed.

Further, comparison with surrounding properties suggests that land with similar characteristics, use, and context is not subject to the same level of restriction. This raises concerns regarding consistency and equity in the application of zoning controls.

Unreasonable Constraint on Lawful Use

The proposed Landscape Conservation zoning would impose significant constraints on:

Ongoing agricultural activities

The establishment of associated rural infrastructure

Future use flexibility of the land

These constraints are not justified given the land's characteristics, existing use, and context within the surrounding rural area.

Landscape Values Are Already Managed by Code Overlays

To the extent landscape values have been identified on or around this property, they are already managed by existing code overlays — including the Priority Vegetation Area, Scenic Protection Area and Bushfire-Prone Area overlays — which apply regardless of zone. The Zone Guidelines at RLZ 4(b) provide that RLZ may be applied to land with landscape values where those values can be appropriately managed through the relevant codes. That exception is squarely engaged here. LCZ adds no further protection over and above what the codes already deliver, while imposing significantly greater restrictions on established and reasonable use.

Impact on Future Use and Intergenerational Equity

The property is intended to remain within the family, and there is a reasonable expectation that future generations may wish to utilise the land for rural living purposes, including the construction of a dwelling.

The proposed zoning would significantly limit this opportunity and reduce the land's capacity to support reasonable and expected future use. More broadly, the applied zone should preserve the family's reasonable expectations of continued rural living use, consistent with the 60+ year history of the land and the surrounding zoning pattern.

Economic Impact

The imposition of a Landscape Conservation Zone would materially reduce the value and utility of the land by limiting permissible uses and development potential. This represents an inequitable outcome for a property with a long-established productive use.

Lack of Justification for Conservation Zoning

No clear or compelling justification has been provided to demonstrate why this land warrants the application of a Landscape Conservation Zone. The land does not exhibit characteristics that would necessitate a level of restriction beyond that typically applied to rural land.

In the absence of such justification, the proposed zoning appears excessive and inappropriate. I note that the Ireneinc report itself has accepted ELZ-to-RLZ transition for comparable Margate properties (including the Fehres Road and Miandetta Drive clusters) on the basis that existing code overlays provide appropriate management of landscape values — the same reasoning applies directly to [REDACTED]

[REDACTED] I further note that in Council's own Direction 69 cover letter (19 March 2026), the General Manager advised the Commission that Council's risk appetite in relation to landscape values is high, and that "**where more than one zone is considered appropriate for a particular area, the least restrictive alternative should be applied.**" Rural Living Zone D is unambiguously less restrictive than LCZ, and on Council's own endorsed position it should be applied here.

Requested Outcome

In light of the above, I respectfully request that the Commission:

1. Reject the application of the Landscape Conservation Zone (including split zoning) to CT [REDACTED]; and
2. Apply a Rural Living zone — specifically **Rural Living Zone D** — across the entire title, which more accurately reflects:
 - The established agricultural use of the land
 - Its integration with adjoining rural living landholdings
 - Its reasonable future use potential
 - The existing lot size of 17.68 Ha, which aligns with the 10 Ha minimum for RLZ D and preserves the existing ELZ subdivision threshold without creating new subdivision potential.

I welcome the opportunity to be heard in relation to this submission should the matter proceed to a hearing.

Yours sincerely,

Jeanette Wallace

Dale Wallace [REDACTED] (son- acting on Jeanette Wallace's behalf)