

To Whom It May Concern,

My name is Dr Marcus Barton, and I am the property owner of [REDACTED], Lower Longley. I have been a resident and owner of this property for 15 years. I am writing to formally object to the proposed rezoning of my property under the Kingborough Draft Local Provisions Schedule (LPS) and/or the Irene Inc review proposal to the Landscape Conservation Zone (LCZ), Rural Zone (RZ), or split zoning. I contend that the Rural Living Zone (RLZ) would be more appropriate for my property, consistent with the original purchase and zoning allowances, a history of residential use, my 15 year residency/ownership, the intended future residential use of the site, and the majority of the nearby community of [REDACTED] and Lower Longley.

I chose [REDACTED] Lower Longley as my home in 2011 primarily due to its rural location and community character. While I agree that all Tasmanian landscapes should be cared for, I am strongly opposed to the rezoning of my privately owned property to the LCZ or RZ, as I believe this will be detrimental to ongoing intergenerational living, care for natural values, maintaining fire safety, keeping affordable insurance and finance, building a future dwelling, and/or retiring here—all of which was possible under the planning scheme at the time of purchase.

Policy and Guideline References:

As stated in LCZ 4 of Guideline No.1 in the Kingborough Local Provisions Schedule (LPS), the "Landscape Conservation Zone should not be applied to: (a) land where the priority is for residential use and development; AND ... Note: The Landscape Conservation Zone is not a replacement zone for the Environmental Living Zone in interim planning schemes." Other councils, such as Tasman, did not consider LCZ as an option for properties in the ELZ and translated these directly to the Rural Living Zone. They also acknowledged the risk for those zoned in LCZ to lose property value, insurance, and finance in future, and for some landowners to be left unable to build a home at all.

The original inhabitation of my property was in 2011 under ELZ. After one/two rezonings without any consultation, my land is currently in the ELZ. The principle use and priority for [REDACTED] Lower Longley is residential, so for continuity of living and reasonable use of private property now and in future, the appropriate translation is the Rural Living Zone.

Strategic Intent and Community Impact:

The application of 'strategic intent' to identify rural living settlements is subjective and inconsistent, disregarding lots like mine, which have been placed around natural formations such as hills, country roads, and bushland. This fails to consider land bought or inherited in previous planning schemes, intended for future rural living but that do not yet contain a home. This is seemingly in opposition to STRLUS Addendum SRD 1.3, which supports "the...application of rural living and environmental living zones to existing rural living and environmental living communities". This inconsistency is particularly notable in respect of my immediate neighbour whose near identical block, with identical landscape values is zoned rural living.

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PLANNING COMMISSION

Negative Consequences of LCZ:

Rezoning to LCZ could impose restrictions that undermine my ability to manage land as I have historically, conflicting with the intent of balancing landscape protection with existing land uses. The LCZ zoning is unnecessary to ensure the protection and maintenance of natural values at Clarks Road, Lower Longley and in the greater neighbourhood area. My family highly values our rural home and has lived on, kept animals, and protected the diverse flora and fauna, including registration with the Land For Wildlife programme. If this care is reduced by landowners, the council does not have the resources to make up the shortfall.

Overlay and Hazard Codes:

I do not agree that the Landslip Hazard, Coastal or Waterway Hazard, Priority Vegetation, or Scenic Protection codes should be applied here. I have building reports for Clarks Road, Lower Longley stating that there is no landslip hazard or priority vegetation, and building has adhered to scenic protection overlays. My location makes it highly unlikely that landslips or floods will be a problem, the priority vegetation overlay is too general, and the scenic protection overlay is irrelevant as my property cannot be seen from local roads, elevated areas, township, or waterways.

Consultation and Due Process:

The lack of consultation and notification by Kingborough Council and Irene Inc, and the biased application of the LCZ over the RLZ, shows a failure of due process and integrity. Their approach does not satisfy the Schedule 1 – Objectives of the Tasmanian Land Use Planning and Approvals (LUPA) Act 1993 regarding fair use and development of land, encouragement of public involvement, and sustainable development that enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety.

I respectfully ask that decisions or direction be given to the Kingborough Planning Authority to cease the rezoning of private properties to the LCZ or zones with more restrictions on living than the ELZ, as this is not balanced development nor in keeping with the priority of residential use and reasonable continuity of amenity on privately owned land. I request that the TPC and Kingborough Council turn alternatively to the use of the Rural Living/Rural Zone, managing environmental priorities via the applicable natural values codes, and do all in their power to limit the LCZ's potential impact on homeowners' abilities to protect natural portions of their properties, decrease in property values, and ability to provide affordable housing for growing families.

Thank you for considering my objection.
Yours sincerely,

Dr Marcus Barton BDS BA Hons FRGS
Email: [REDACTED]

14 April 2026