

24 September 2026

Our Ref: 17.228

For attention: Ms Linda Graham

The Executive Commissioner
Tasmanian Planning Commission
GPO Box 1691
HOBART TAS 7001

Dear Linda,

KINGBOROUGH DRAFT LOCAL PROVISIONS SCHEDULE – SUBMISSION FOR HEARING, NO 29 TO BE HELD ON 28 SEPTEMBER 2026

The Planning Authority notes that the primary purpose of this hearing is to consider representations relating to the Conningham and Snug localities, as identified in the Ireneinc Report. It is therefore understood that the hearing will primarily focus on zoning matters.

The Planning Authority has considered the relevant representations and submissions and provides the following advice for the Commission's consideration at this hearing:

- Recommendations regarding the conversion to an appropriate zone under the Tasmanian Planning Scheme for this locality remain as set out in the Ireneinc Report, subject to the split zoning adjustments and clarifications identified below.
- For all other matters that fall outside the scope of the review undertaken by Ireneinc, the Planning Authority's response provided under section 35F should be relied upon.

Zoning clarifications

344 Conningham Road, Conningham (PID 5780691)

The property is currently zoned Environmental Living and is proposed to be zoned Landscape Conservation under the Draft LPS as exhibited in 2024.

Figure 1 - 344 Conningham Road



The proposed zoning reflects the site's contribution to the broader landscape character of the locality, including its position within the escarpment backdrop and its relationship to the adjoining reserve and

surrounding land zoned Environmental Management. While the site is not subject to the Scenic Protection Area overlay, its landscape setting remains an important consideration.

In response to the representation seeking the application of the Rural Zone, the Planning Authority has reconsidered the zoning of the site and assessed a range of alternative zone options, including the Environmental Management, Rural, Rural Living and Low Density Residential Zones. Given the site's isolated nature and its location within a broader area of Environmental Management zoned land, any zoning outcome other than the Environmental Management Zone would effectively create an isolated or "spot" zoning outcome. While spot zoning outcomes are generally not supported, the unique circumstances of this site warrant consideration of alternative options.

The Environmental Management Zone was considered due to its consistency with the zoning of surrounding land. However, it is not preferred as it may create a more restrictive planning outcome and could make it more difficult to reinstate or adapt previous visitor accommodation activities on the site, which appears to be a key objective of the representation. The Rural Living Zone is also not considered appropriate, as the site does not exhibit the characteristics typically associated with a rural-residential setting and the zone purpose and guidelines do not align well with the site's context. Similarly, the Low Density Residential Zone is not supported having regard to the site's characteristics, isolated location and broader settlement planning considerations.

The Rural Zone was also considered. While it could accommodate the site's existing level of development and provide for a similar range of uses to the Landscape Conservation Zone, it is not considered the best strategic fit. The site does not display the characteristics typically associated with rural land use and is not located within a broader rural area. Applying the Rural Zone would therefore result in an isolated zoning outcome that is difficult to justify in the context of the surrounding landscape and zoning pattern.

For the purposes of the transition to the Tasmanian Planning Scheme, the Planning Authority considers the Landscape Conservation Zone to be the most appropriate zone available. While this outcome represents an exception to the general principle of avoiding isolated zoning outcomes, it strikes the most appropriate balance between recognising the site's existing level of development, retaining opportunities for visitor accommodation and other suitable uses, and acknowledging the site's contribution to the broader landscape character of the locality.

Notwithstanding the above, Planning Authority remains open to working with the landowner and recognises that opportunities may exist outside of this transition process to explore alternative planning mechanisms, including future zoning changes or site-specific provisions, should the reinstatement, continuation, expansion or diversification of existing activities be proposed and appropriately justified.

151 Coningham Road, Coningham (PID 5780114)

The property is currently zoned Environmental Living and is proposed to be zoned Landscape Conservation under the Draft LPS as exhibited in 2024. The site comprises approximately 7 hectares and is substantially modified, with characteristics that distinguish it from many other properties proposed for the Landscape Conservation Zone.

Figure 2 - 151 Coningham Road



The Planning Authority has reviewed the proposed zoning in light of the site's characteristics and the matters raised through the Ireneinc report. From a strategic land use perspective, the Low Density Residential Zone could be supported. The site exhibits characteristics consistent with larger residential living allotments, and it is acknowledged that a Low Density Residential outcome may better reflect the existing pattern of land use and development occurring on the property.

However, the transition to the Tasmanian Planning Scheme requires the conversion of existing planning controls using the applicable zoning criteria and transition principles. While the Low Density Residential Zone may have merit from a strategic planning perspective, it is not clear that its application can be appropriately justified through the current transition process.

A range of alternative zones have also been considered. The Environmental Management Zone is not supported as the site is heavily modified and does not display the environmental characteristics typically associated with land included in that zone. The Rural Living Zone is also not considered appropriate, as it would create a fragmented and isolated zoning outcome that is not connected to any broader Rural Living area and may undermine future strategic consideration of residential growth in the locality. Similarly, the Rural Zone is not considered an appropriate fit given the site's context, its relationship to surrounding residential land and the absence of any meaningful association with rural land use activities.

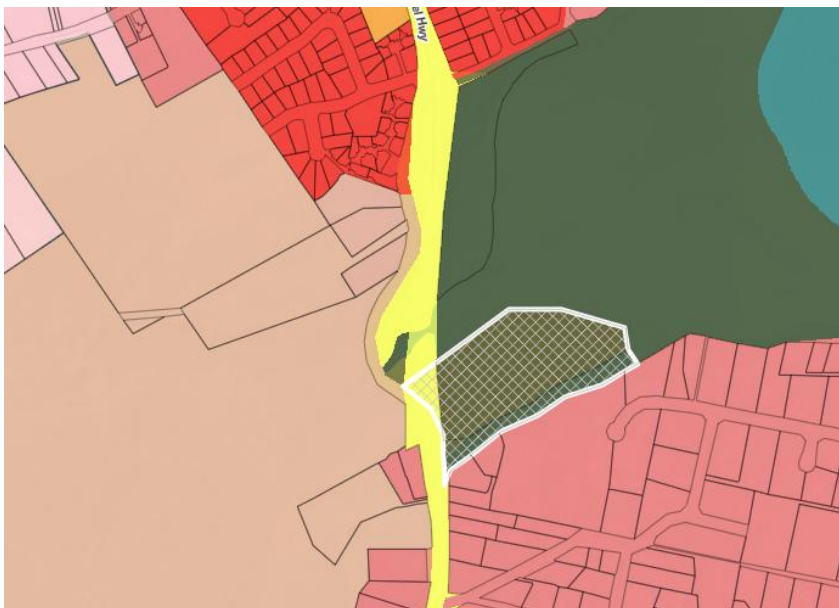
Should the Commission determine that the Low Density Residential Zone cannot be supported through the transition process, the Planning Authority considers the Landscape Conservation Zone to be the most appropriate remaining zoning outcome. While the site has been substantially modified, no alternative zone provides a clearly superior fit having regard to the transition framework, the surrounding zoning pattern and the characteristics of the locality.

It is also noted that no representation was received from the landowner seeking an alternative zoning outcome. Opportunities remain outside of this transition process for Council and the landowner to explore alternative planning mechanisms, including future zoning changes, where a different planning outcome is sought and can be supported through an appropriate strategic planning process.

590 Channel Highway, Lower Snug (PID 7453029)

The property is currently zoned Environmental Living and is proposed to be zoned Environmental Management under the Draft LPS as exhibited in 2024.

Figure 3 - 590 Channel Highway



The Planning Authority has reviewed the proposed zoning in light of the site's characteristics and the matters raised through the Ireneinc report. The land has been substantially modified and displays an established pattern of rural land use and management which distinguishes it from surrounding land exhibiting stronger environmental or landscape values.

In considering the most appropriate zone, both the Environmental Management Zone and Landscape Conservation Zone have been assessed. While each of these zones may recognise certain characteristics of the site, neither is considered to provide the best fit. The extent of modification and visible rural activities present on the land reduce the justification for applying either an Environmental Management or Landscape Conservation zoning outcome.

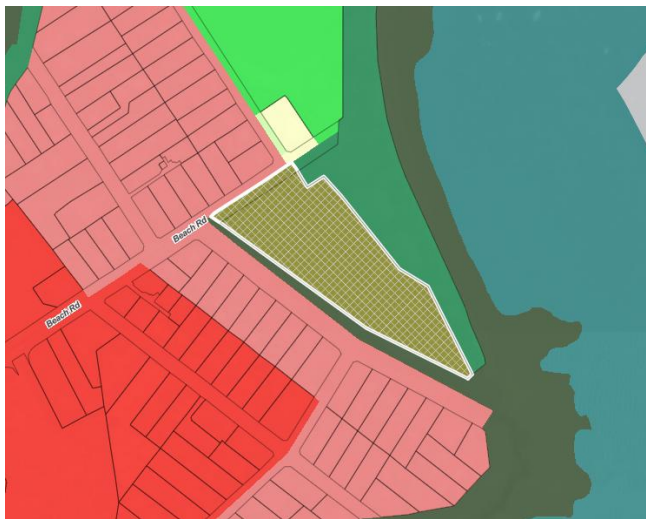
The Rural Living Zone has also been considered but is not supported. The property does not adjoin, nor is it closely related to, other land zoned Rural Living and its inclusion within that zone would result in an isolated zoning outcome. Furthermore, the site does not exhibit the distinct rural-residential settlement characteristics typically associated with the Rural Living Zone and its application may prejudice future strategic consideration of residential zoning outcomes within the locality.

Having regard to the site's existing character, level of modification and ongoing rural use, the Rural Zone is considered to provide the most appropriate planning outcome. The Rural Zone better reflects the manner in which the land is currently used and managed and provides a more logical alignment between the zoning and the site's existing characteristics.

35 Beach Road, Snug (PID 5783518)

The property is currently zoned Environmental Living is proposed to be zoned Landscape Conservation under the Draft LPS as exhibited in 2024.

Figure 4 - 35 Beach Road (Snug Caravan Park)



The Planning Authority previously considered this matter in detail in its response to Direction 80, dated 12 February 2026, which assessed a range of alternative zoning outcomes, including the Environmental Management Zone, Open Space Zone and Low Density Residential Zone, together with the proposed use of a site-specific qualification. At that time, the Planning Authority indicated a preference for the application of the Environmental Management Zone as an alternative to the proposed Landscape Conservation Zone, recognising that it would provide an appropriate planning framework for the continuation of the existing caravan park use while also responding to the significant environmental

constraints and hazards affecting the site, which make alternative zoning outcomes difficult to support through the transition process.

The Planning Authority remains open to working with the landowner and acknowledges that the site presents both opportunities and challenges, particularly as a result of the coastal inundation and flood hazards affecting the land. While these constraints have influenced the recommended zoning outcome through the transition process, opportunities may exist in the future to explore alternative planning mechanisms, including zoning changes or site-specific provisions, where a different outcome can be appropriately justified having regard to the site's unique circumstances and broader planning considerations.

359 Snug Falls Road, Snug (PID: 2810840)

The property is identified in the Ireneinc Report as being recommended for inclusion in the Rural Zone in its entirety. However, this recommendation is not currently reflected in the Councils online mapping platform *Proposed LCZ review undertaken by Irene Inc.* The Ireneinc recommendation for this property remains the preferred position of the Planning Authority and we confirm that this property is recommended to transition to the Rural Zone in its entirety.

Figure 5 - 359 Snug Falls Road, Snug (to be included in Rural Zone)



Split zonings

The Planning Authority notes that additional hearing dates have been scheduled in November to consider split zoning matters and consistent with the Commission's letter of 27 August 2026, will provide further advice prior to the relevant hearing.

In relation to Representation 312 (316 Nicholls Rivulet Road, Oyster Cove), which is to be discussed as part of Hearing Day 29, the Planning Authority's preferred outcome is a split zoning arrangement that applies the Rural Zone to the modified portion of the site and the Landscape Conservation Zone to the

balance of the land. The split zoning boundary is intended to generally follow the existing tree line, recognising that the tree line is irregular and varies across the property. The Planning Authority considers the mapping recommended by Ireneinc to be appropriate; however, it remains open to minor refinements to the boundary location having regard to any advice, discussions or outcomes arising from engagement with the representor through the hearing process.

Priority Vegetation Mapping

The Planning Authority notes that a number of representations have raised concerns regarding the application and extent of the Priority Vegetation Area overlay. These concerns generally relate to whether the identified vegetation and environmental values warrant the application of the overlay and whether a more targeted approach would be appropriate. The Planning Authority considers that the purpose of the overlay is to identify land that has a likelihood of containing environmental values requiring further assessment at the time of any future use or development. This approach is consistent with the methodology adopted for the preparation of the draft LPS and, unless directed otherwise by the Commission, the Planning Authority will continue to rely on that methodology. Notwithstanding this position, the Planning Authority acknowledges that alternative approaches have been put forward through representations, including the more targeted application of the overlay to specific areas where environmental values have been identified. The Planning Authority remains open to considering such approaches where supported by appropriate evidence; however, the extent and application of the overlay is ultimately a matter for determination by the Tasmanian Planning Commission.

Other matters

Rep [REDACTED] (110 Snug Tiers Road) - waterway alignment

The waterway alignment issue raised in Rep [REDACTED] should be considered in conjunction with the mapping anomaly previously identified for 105 Snug Tiers Road. Consistent with the Planning Authority's response to Direction 72, it is considered that this matter relates to a mapping anomaly and should be addressed through the same approach adopted for that property.

Representations and submissions

While the Planning Authority's preferred position is outlined in this response, it is recognised that there may be differing views regarding the most appropriate application of zones, overlays, spatial boundaries and other provisions of the Tasmanian Planning Scheme within this locality.

The transition to the new scheme is a complex exercise, particularly in relation to the conversion of the Environmental Living Zone and associated planning controls, the applicable principles and guidelines may reasonably support more than one interpretation or outcome.

It is also acknowledged that zoning and related planning controls can have a significant influence on how land may be used and developed, with potential implications for landowners, surrounding communities and the achievement of broader planning objectives. In this regard, the Planning Authority appreciates the considerable time, effort and local knowledge contributed by landowners, community members and other stakeholders in preparing and lodging representations and submissions. These contributions provide valuable insight into local circumstances and will assist the Commission in its consideration of the matters before it.

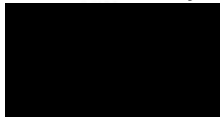
Although the Planning Authority does not intend to actively participate in this hearing, it will observe the proceedings and welcomes the opportunity for the matters raised in representations to be explored through discussion before the Commission.

The Planning Authority remains available to assist the Commission through the provision of additional information, clarification or assessment, including reconsideration of aspects of the recommended approach where warranted by the evidence and issues explored through the hearing process.

The Planning Authority also reminds the Commission of Council's risk appetite, as outlined in its correspondence dated 20 March 2026 accompanying the Ireneinc review report, which highlighted Council's approach to the application of the Landscape Conservation Zone.

If you wish to discuss the above, please contact the Council's Lead Strategic Planner, Adriaan Stander on (03) 6211 8210.

Yours sincerely,



Deleeze Chetcuti
Director – Environment Development and Community