

12 October 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 34
TO BE HELD ON 29 OCTOBER 2026**

The Planning Authority notes that the primary purpose of this hearing is to consider representations relating to the Neika, Kingston West, Coningham 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:

- With the exception of the additional zoning considerations outlined below, the recommendations regarding the application of an appropriate zone under the Tasmanian Planning Scheme for these localities remain as set out in the Ireneinc Report.
- 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.

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. Input from landowners and representors on the proposed split zoning arrangements is welcomed and will assist in informing the Planning Authority's further advice to the Commission. In the meantime, and to assist the Commission's discussions with representors during Hearing Day 34, the Planning Authority provides the following preliminary advice relevant to this locality.

Representation 452 – [REDACTED], Neika

The Planning Authority, in its section 35F Report, as well as the subsequent recommendation by Ireneinc, recommended a split zoning approach for the site. The intention is to apply the Rural Living Zone D to the modified and developed portions of the land and the Landscape Conservation Zone to the vegetated areas, consistent with the zoning of adjoining properties.

The proposed zoning interface generally follows the existing tree line, extending from the northern-most corner of CT [REDACTED] and tracking the vegetation line before connecting with the eastern-most corner of CT [REDACTED] similar to proposed on the Interactive Mapping available on Council's website.

Given the irregular nature of the tree line, the Planning Authority is open to receiving input from the representor regarding the precise alignment of the zone boundary to ensure it remains practical, readily identifiable on the ground, and capable of being accurately represented on the planning scheme maps.

Figure 1 – Split zoning configuration for [REDACTED], Neika



Representation 416 – [REDACTED], Kingston

The Ireneinc report identifies this land for a split-zoning outcome comprising the Landscape Conservation Zone and the Rural Living Zone. However, Council's mapping portal does not currently reflect the split-zoning arrangement anticipated in the Ireneinc report.

The Planning Authority confirms that the preferred zoning outcome remains the split-zoning approach identified in the Ireneinc report, with the Rural Living Zone to be applied to the more modified eastern portions of the land and the Landscape Conservation Zone to be applied to the western portions. The zoning interface is intended to extend from the south-western corner of CT [REDACTED] and proceed in a straight line in a southerly direction to approximately coordinates X: 521176 and Y: 5244093. Given the irregular nature of the tree line on the property, the Planning Authority is open to receiving input from the representor regarding the precise alignment of the zone boundary to ensure it remains practical, readily identifiable on the ground, and capable of being accurately represented on the planning scheme maps.

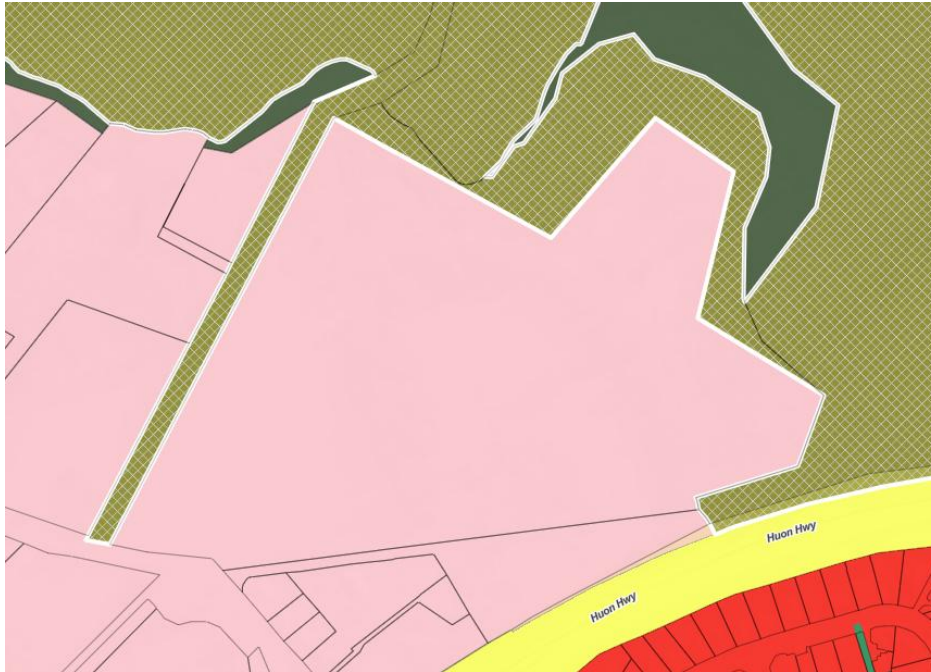
Representation 13 (submission 234) – [REDACTED] (CT [REDACTED])

There has previously been a hearing to consider the zoning of the land; however, those discussions focused on the portion of the property proposed for the Rural Living Zone. During that hearing, alternative zoning outcomes, including the Low Density Residential Zone and potential subcategories of the Rural Living Zone, were considered in detail. As these matters have already been extensively discussed, the Planning Authority does not intend to revisit its previously stated position.

In relation to the proposed split-zoning arrangement, the Planning Authority is open to applying the Rural Living Zone to the entirety of the property, rather than retaining a combination of Rural Living and Landscape Conservation zoning. This would provide a simpler and more readily identifiable zoning outcome, particularly given the relatively small proportion of the site proposed for the Landscape Conservation Zone. The Planning Authority considers that a single Rural Living Zone across the property would be easier to identify and administer while still achieving an appropriate planning outcome.

This approach is also considered appropriate having regard to the alternative zoning outcomes proposed for land to the north of the site (CT [REDACTED], CT [REDACTED] and CT [REDACTED]), as discussed in further detail below.

Figure 2 - [REDACTED] where the Rural Living Zone is recommended for the entire property instead of a split zoning



Clarifications

Part of [REDACTED] (CT [REDACTED]), Part of [REDACTED] (CT [REDACTED]) and [REDACTED] (CT [REDACTED])

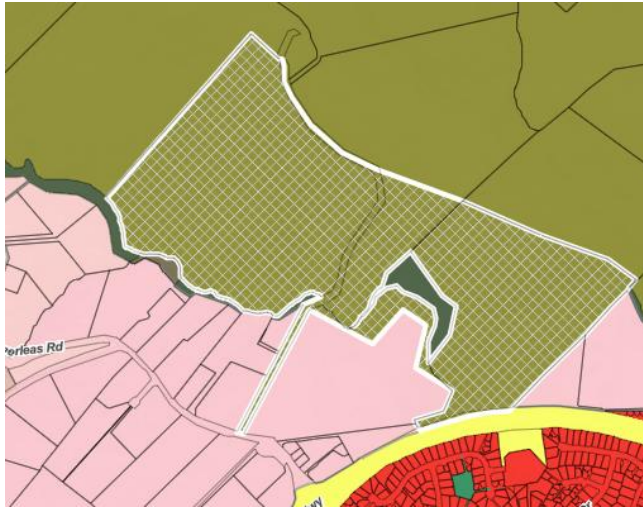
These properties, or parts thereof, have been identified in the Ireneinc report as an area requiring further consideration. Having regard to the extent to which the land has been modified over time, together with previous discussions relating to some of these parcels at earlier hearings, the Planning Authority is open to considering the application of the Rural Zone as an alternative to the Landscape Conservation Zone for the area generally corresponding with that identified in Figure 3 below.

The Planning Authority acknowledges that the land has been significantly modified and that its existing land use characteristics are more closely aligned with rural land management practices than with the values typically associated with the Landscape Conservation Zone. On this basis, the Rural Zone may provide a more appropriate planning outcome.

While the Rural Living Zone could also be considered, the Planning Authority has previously indicated, that no strategic work has been undertaken to identify a need for additional Rural Living Zoned land. Furthermore, given the proximity of the subject land to the urban growth boundary and the potential for broader consideration of urban or rural residential zoning outcomes in the locality through future strategic planning work, the Planning Authority considers that the Rural Zone currently represents the most appropriate zoning allocation for the land at the moment.

The opportunity to seek a Rural Living Zone or Low Density Residential Zone outside of the current translation process remains available. However, any such proposal would need to demonstrate not only that the proposed zoning is appropriate for the subject land, but also that there is a sound strategic basis and broader need for the application of that zone within the municipality.

Figure 3 - Part of [REDACTED] (CT [REDACTED]), Part of [REDACTED] (CT [REDACTED]) and [REDACTED] (CT [REDACTED]) where the Rural Zone is proposed as an alternative to the Landscape Conservation Zone

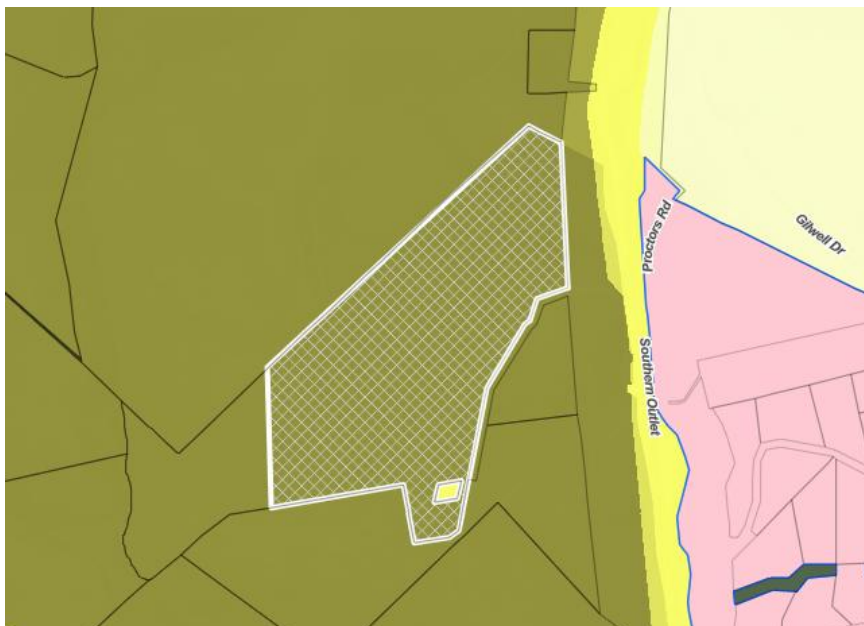


[REDACTED], Kingston (CT [REDACTED])

The Ireneinc report identified this site as requiring further consideration. While the site is relatively large and has been substantially modified, it is surrounded by land proposed to be zoned Landscape Conservation. Having regard to the existing land use practices and level of modification, the application of the Rural Zone could be contemplated. However, this would result in an isolated parcel of Rural zoned land within a broader area of Landscape Conservation Zone, creating a zoning outcome that is not considered strategically desirable.

In the absence of any representation from the landowner seeking an alternative zoning outcome, the Planning Authority considers that the application of the Landscape Conservation Zone remains the most appropriate approach. This would provide a consistent zoning framework across the locality and avoid the creation of a stand-alone zoning outcome that is not supported by a broader strategic justification.

Figure 4 - [REDACTED], Kingston



Representation 242 – [REDACTED]

The Planning Authority has previously provided a further submission in relation to this property for Hearing Day 29. As that submission sets out the Planning Authority's position on the matters raised, no further comment is provided at this time.

Previous hearing outcomes

The Planning Authority also notes that this locality has been the subject of previous hearing sessions conducted prior to the review undertaken by Ireneinc. As a result, some of the positions and agreed outcomes discussed during those hearings may differ from the recommendations ultimately made in the Ireneinc Report. The Planning Authority requests that the Commission have regard to those earlier discussions and areas of agreement, particularly where support was expressed for zoning outcomes other than the Landscape Conservation Zone.

By way of example, although the representation relating to [REDACTED], is not listed for consideration at this hearing, the Planning Authority notes that during previous hearings and a subsequent response to Direction 53 indicated support for the application of the Rural Living Zone D as an alternative to the Landscape Conservation Zone to that land. The Planning Authority understands there may be other similar instances where positions adopted during earlier hearings differ from the recommendations in the Ireneinc Report and considers these matters warrant consideration as part of the Commission's overall review of the precinct.

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 may contain environmental values requiring further assessment at the time of any future use or development, rather than only those areas where Priority Vegetation is currently obvious or readily identifiable. 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.

Representations and submissions

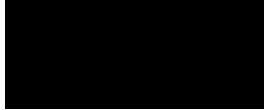
While the Planning Authority's preferred position is outlined in this response, it is recognised that there may be differing views regarding the most appropriate application of zones, overlays, spatial boundaries and other provisions of the Tasmanian Planning Scheme within this locality. The transition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

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,

A black rectangular box redacting the signature of Dave Stewart.

DAVE STEWART
CHIEF EXECUTIVE OFFICER