
From: A S <[REDACTED]>
Sent: Friday, 22 May 2026 10:44 AM
To: Kingborough LPS
Subject: RE: Kingborough draft LPS - Commission letter to CP Sanctuary
Attachments: TPC Submission [REDACTED] - 22 May 2026.pdf

Please find attached the submission for [REDACTED]

Owner	CP Sanctuary PTY LTD (or as varied)
Date	22 May 2026
Property Address	██████████ Snug, Tasmania 7054
Title	██████████
Requested Zone	Rural Living Zone

To the Tasmanian Planning Commission,

Thank you for providing an opportunity to make a submission about the property at ██████████ Snug (██████████). No notice nor communications were provided and/or received previously re the proposed rezoning. The proposed rezoning first came to the attention of the property owner from a neighbour at the end of April. At request, the letter as it relates to the proposed rezoning was finally provided by the Tasmania Planning Commission on 30 April 2026 with an extension to respond by 24 May 2026.

The rezoning as proposed under the Kingborough Draft LPS and/or Ireneinc review to the Landscape Conservation Zone (LCZ) should not occur, as this would cause substantial damage to the property owners and the community as a whole, including and not limited to, by adversely impacting the value of property(ies). Furthermore, 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).

In particular, Section 8A Guideline No. 1 (clause LCZ 4(a)) expressly provides that the Landscape Conservation Zone “should not be applied to... land where the priority is for residential use and development (see Rural Living Zone).” The accompanying note further states that the Landscape Conservation Zone “is not a replacement zone for the Environmental Living Zone in interim planning schemes.” The strategic intent for ██████████ has been, and remains, residential use in a rural setting. Applying LCZ to this title would directly contravene LCZ 4(a) and the policy intent expressed in the accompanying note.



The property was purchased in July 2021 and since a lot of time, effort and cost has gone into maintaining, preserving and cultivating the liveability of the home, property and nature value.

Tasmania's landscapes should be protected, and that can be appropriately done through the RLZ together with the relevant codes, as has been the historical approach under the ELZ and Rural Residential zonings.

The property at ██████████ is already subject to the following code overlays under the LPS: C7.0 Waterway and Coastal Protection Area, C7.0 Priority Vegetation, C8.0 Scenic Protection Area, C13.0 Bushfire-Prone Areas, and C15.0 Landslip Hazard. These overlays already manage the environmental values identified by Council and the

Ireneinc review, and will continue to apply under any RLZ designation. Section 8A Guideline No. 1 clause RLZ 4(b) expressly permits RLZ where landscape values can be appropriately managed through relevant codes — which is the case here. The LCZ would therefore add a further regulatory layer on top of values already comprehensively managed, while imposing significant constraints on residential use that are not warranted given the property's strategic intent and existing code protections.

Furthermore, the property has a Private Timber Reserve (PTR) registered on title, as noted in the Elcock submission of 5 December 2024 (Appendix B). The PTR is governed by the Forest Practices Act 1985, and forestry operations on PTR land are excluded from the Tasmanian Planning Scheme by section 20 of LUPAA. The relevant zoning question for this title is therefore what best reflects the strategic intent for the use of the property, which is, and has always been, residential. The RLZ accommodates the residential priority without conflicting with the PTR registration on title, whereas the LCZ would unnecessarily constrain residential use while adding nothing in respect of the PTR, which is managed under a separate statutory regime.

As requested by other neighbouring property owners, Rural Living Zone (RLZ) B or C is the appropriate zone for [REDACTED]. Respectfully, the Commission should apply RLZ C to this property, in line with (but not limited to) the original purchase, zoning allowances and site's residential use. Should the Commission be considering any alternative outcome, the property owner respectfully requests the opportunity to be heard before any final determination is made.

For prudence and consistency, in addition to what is already covered in this letter, this response also refers to and adopts the submissions made in Appendix A and Appendix C below in support of the requested Rural Living Zone outcome. Appendix B is provided for factual background relating to this title (including the existence of the Private Timber Reserve and the application of code overlays), however, the zoning conclusion suggested in Appendix B — Rural Zone rather than Rural Living Zone — is not adopted:

- Appendix A (Harvey's adjoining property owner's submission for [REDACTED])
- Appendix B (Representation-198e-Caleb-and-Nathanael-Elcock-5-December-2024); and
- Appendix C (Representation-430-Josh-Graeme-Evans-9-December-2024)

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. Respectfully, this approach without proper consultation has been aimed at removing private land rights, risking long-term harm to the owners and creating potential future financial and legal challenges. If environmental protection is the goal, then this could be achieved with proper consultation and by implementation of the community's and owners' views, who are already the care takers of the properties and the land.

Therefore, respectfully it is requested that the TPC direct the property ([REDACTED] [REDACTED]) be zoned Rural Living Zone C consistent with other neighbouring property requests, with environmental values managed by the applicable planning scheme codes.

Finally, with the limited time allowed to provide a response, any omissions and/or errors do not constitute an agreement and/or acquiescence to those matters. The property owner reserves all rights, including to make any further submissions and/or take any actions as necessary.

Please send all correspondences preferably by electronic means to [REDACTED] or if necessary to [REDACTED], Birkdale QLD 4159.

Yours sincerely,

CP Sanctuary

Name(s)	Timothy Peter Harvey [REDACTED] Tracy Kristine Harvey [REDACTED]
Date	30 April 2026
Property Address	[REDACTED] Snug, TASMANIA 7054
Title	[REDACTED]
Requested Zone	Rural Living Zone

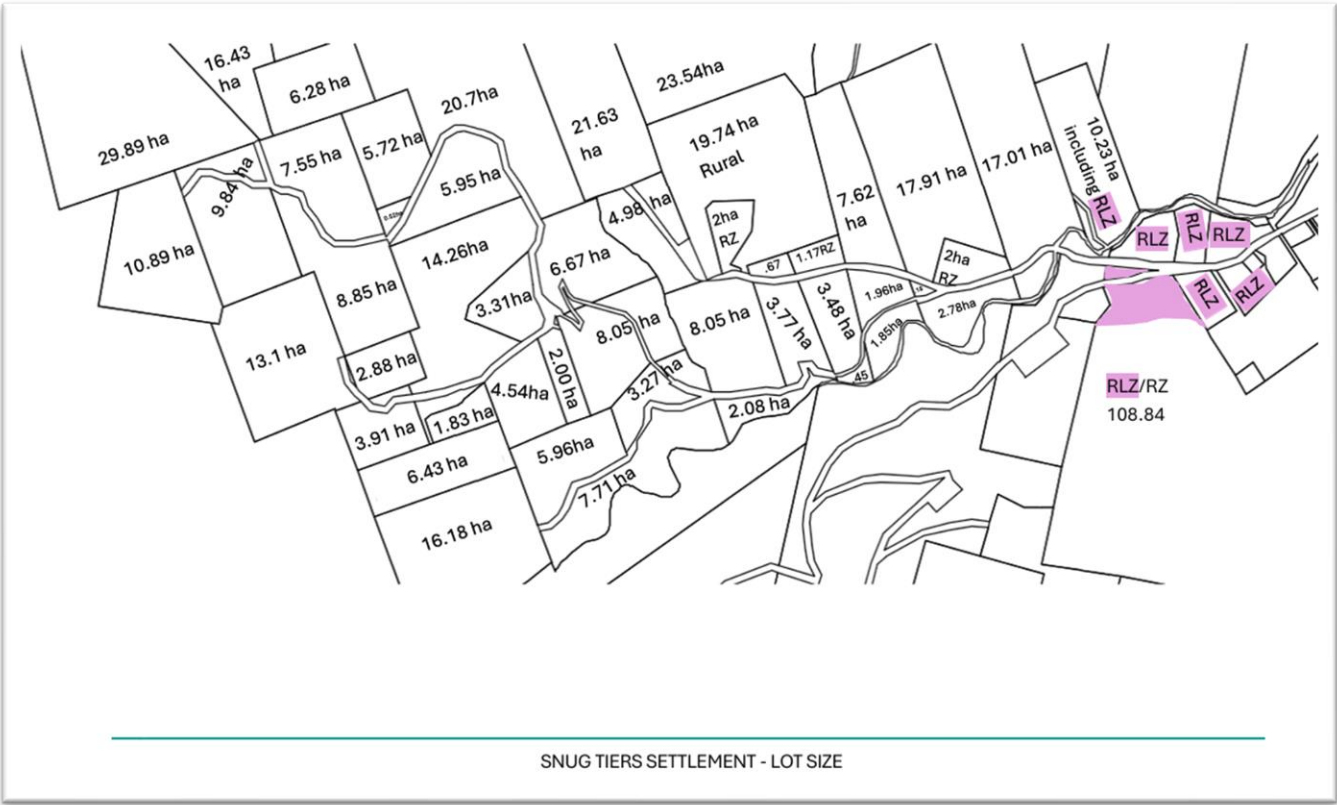
To the Tasmanian Planning Commission,

We are Tim and Tracy Harvey. Thank you for the letter (DOC/26/36829) allowing us an opportunity to speak to our property. We did not make a representation during the period that the Kingborough draft LPS was on public exhibition, as we were not aware of it. We became aware through Joshua Graeme-Evans and signed his representation as a witness in August 2025 (Attachment A) and provided consent in September 2025 to support Representation 430 (Attachment B)

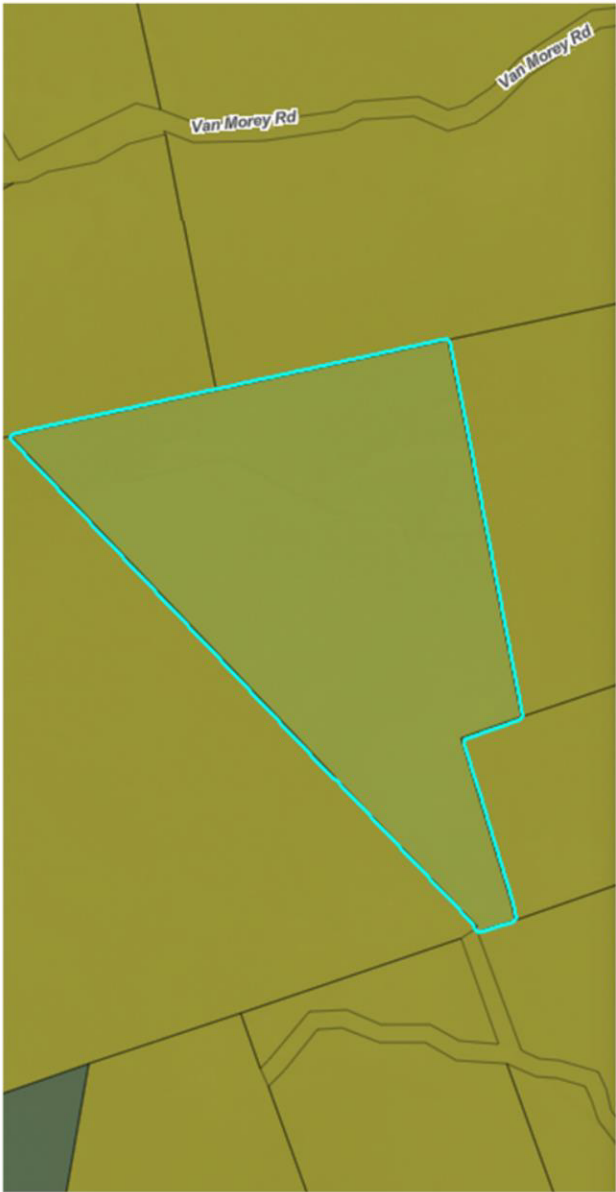
This submission relates to land at [REDACTED] Snug (CT [REDACTED] currently zoned Environmental Living Zone (ELZ) under the Interim Planning Scheme and proposed to be rezoned Landscape Conservation Zone (LCZ) under the Kingborough Local Provisions Schedule (LPS) and the Ireneinc report.

We respectfully submit that the proposed application of LCZ to this land does not meet the Local Provisions Schedule criteria under section 34 of the Land Use Planning and Approvals Act 1993 (LUPAA) and is not the most appropriate or proportionate zoning outcome. Instead, the land should be zoned Rural Living Zone (RLZ) B (minimum lot size 2 hectares), with environmental, landscape and hazard matters managed through existing planning codes and overlays.

RLZ is also proposed in the Ireneinc Report for adjoining properties at [REDACTED] (as shown below), reinforcing the consistency and suitability of this zoning for the area.



Rezoning ELZ properties to LCZ is putting residential living, second, to protecting scenery and biodiversity. Our land is already protected using overlays (picture below of property with code overlays). Kingborough residents work hard to afford the land they acquire. The LCZ would diminish the value of the land and prioritise regulation of privately owned property over the rights of landowners.



Parcel Information

Zoom to

Property address: [REDACTED] Snug TAS 7054

PID: [REDACTED]

Proposed LPS (2024):
[22.0 Landscape Conservation](#)

Current Zoning (KIPS2015):
[14.0 Environmental Living](#)

Tenure: Private Freehold

Proposed Code Overlays (LPS):
[C7.0 Waterway and Coastal Protection Area](#)
[C7.0 Priority Vegetation](#)
[C8.0 Scenic Protection Area](#)
[C13.0 Bushfire-Prone Areas](#)
[C15.0 Landslip Hazard](#)

Current Code Overlays (KIPS2015):
[E1.0 Bushfire-Prone Areas Code](#)
[E3.0 Landslide Code](#)
[E10.0 Biodiversity Code](#)
[E11.0 Waterway and Coastal Protection Code](#)
[E14.0 Scenic Landscapes Code](#)No change

Proposed Additional Overlays (LPS): (none)

Current Additional Overlays (KIPS2015): (none)

CT: [REDACTED]

Ireneinc explicitly acknowledges in their report (section 5.3) that Council's approach "heavily restricted the application of the RLZ" from the beginning, treating it as only available for existing RLZ parcels. The report describes this as "a highly conservative approach." It further finds there are "potential gaps/limitations in its consideration of the RLZ which may have affected its overall application of the zone in some locations."

The critical passage is this: Council's justification "focuses on a comparison of the LCZ provisions considered against the RLZ provisions" — rather than asking whether landscape values could be appropriately managed through the RLZ and relevant codes. That is the question the Zone Guidelines require to be answered under RLZ4(b), and Council consistently failed to ask it properly. Irene Inc agrees.

This means the entire foundation of the initial LPS approach — 85% of ELZ to LCZ — was built on an incorrectly framed question.

We purchased [REDACTED] in April 2021 and moved into our home in July 2021. Since that time, we have come to deeply value the peace, amenity and sense of wellbeing that living in a bushland setting provides. We plan to live on the property well into our retirement years. Our vision for the property includes accommodating close family members at different life stages. Enabling intergenerational support by caring for our aging parents and facilitating our daughter with financial independence. This approach provides a realistic and supported pathway into home ownership for her, while maintaining strong family connections and preserving the low-density rural living character of the area.



Photo above – view looking south (350m above sea level) unable to be seen from Snug village or surrounds.

Our property provides us with the ability to grow our own food with a veggie patch. We have a horse and a sheep which quietly graze in our paddock. We manage our fire risk by appropriately clearing sticks, leaves and fallen branches. Our property has three dams to aid in firefighting if needed. We are not connected to town water and sustain our needs with 2 x 22,000L tanks. We purchased new solar panels and a battery two years ago, to eventually be in a position where we can be fully off grid. We spend our time in the garden, on the tracks in our bushland with motorbikes and buggies, horse riding, and walking the various tracks with our dogs.

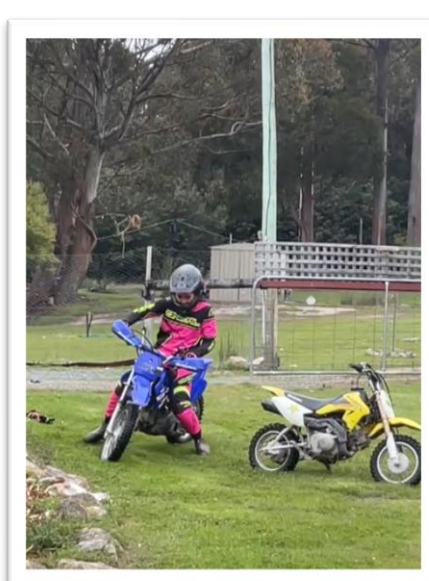
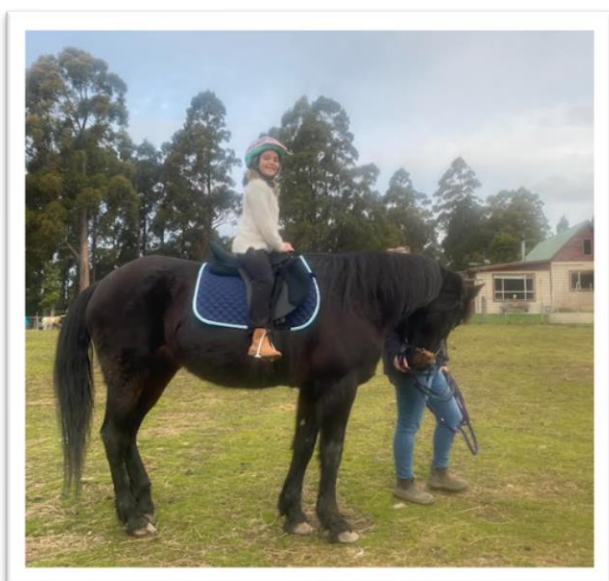


Photo above (left) – riding the horse; Photo above (right) – riding their bikes on the property.

We are currently renovating (DA Approved) to add value to our home and to provide comfort in our older years. The fear that we are overcapitalizing on our property if LCZ was to come into effect is real!

We believe protecting Tasmania's landscape on individually owned land, can be done best through RLZ as it has been done historically through ELZ and Rural Residential zonings. Rezoning to LCZ would harm the continuous use of the land as allowed when purchased.

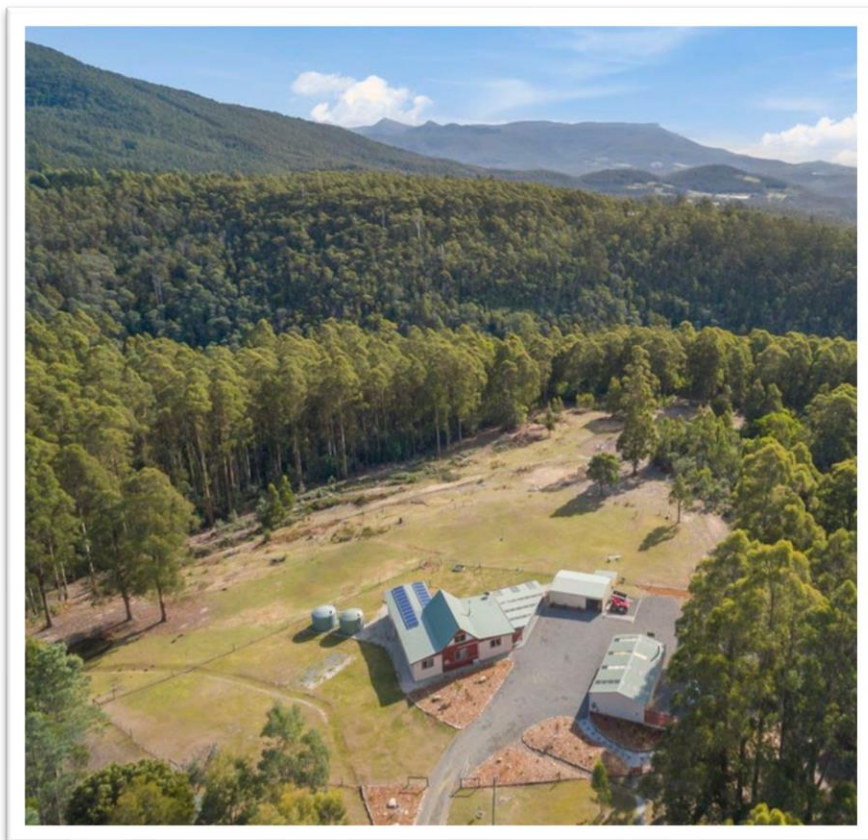


Photo above – view looking north (350m above sea level) – unable to be seen from Snug village or surrounds.



Photo above – view looking northeast (350m above sea level) – unable to be seen from Snug village or surrounds.

Our property backs onto the Snug Tiers Reserve and we were quite concerned during the February 2025 Snug Tiers fire. We were confident that the preparedness we had taken to keep our land clear and bushfire ready, would protect it, should the fire come in our direction. A key concern at the time was that vegetation and fuel loads within the Snug Tiers Reserve appeared largely unmanaged, creating an increased bushfire risk given its proximity to adjoining private properties. Management of the reserve is the responsibility of Council, and it was unclear whether active fuel treatment, such as planned backburning, was being undertaken in that area. This experience highlighted the importance of clearly allocated responsibility for bushfire preparedness across all land tenures. Importantly, it also reinforces the role and responsibility of private landowners to actively manage fuel loads and maintain bushfire-ready properties.



(Photos above – Snug Tiers Reserve fire February 2025)

FUEL MANAGEMENT AND PLANNING

The AFAC Independent Operational Review of the Tasmanian bushfires (December 2018 – March 2019) identified effective fuel management as essential to reducing bushfire risk across Tasmania, particularly near communities and across all land tenures, including private land. The Review confirms that major bushfires increasingly involve both public and private land and that planned fuel reduction has demonstrably reduced fire intensity, limited fire spread, and protected assets and townships.

Importantly, the Review recognises that bushfire risk cannot be effectively managed by government agencies alone and that responsible fuel management undertaken by private landholders is a necessary and valuable contribution to statewide bushfire mitigation. It does not advocate deregulation of burning, but instead supports well-managed, lawful fuel reduction on private land, with clearer rules and fewer unnecessary administrative barriers.

The Review highlights that prior fuel reduction, including strategic back burning, has improved outcomes during active fire events by reducing fire behaviour and creating safer conditions for control operations. It also identifies that excessive regulatory and administrative constraints can discourage proactive land management, noting submissions where areas later impacted by uncontrolled bushfire had previously faced permit refusals or delays. While safety safeguards remain essential, the Review calls for approval processes that enable, rather than obstruct, responsible risk-reducing action.

In line with these findings, it is our intention to continue actively and lawfully managing fuel on the property, including through fuel reduction and back burning where appropriate, in accordance with permit requirements, prevailing weather conditions, and fire authority guidance, to reduce risks to life, property, and neighbouring landholders. In this context, we respectfully submit that the LCZ is not the most appropriate or proportionate zoning outcome for this land. An RLZ would better facilitate active, well-regulated fuel management while still protecting landscape values through existing codes and overlays, and would more closely align with Council policy, sound planning principles, and community safety objectives.

ZONING AND LAND MANAGEMENT IMPLICATIONS

Kingborough Council's response to Direction 69, informed by the Ireneinc Review of the Landscape Conservation Zone (LCZ), makes clear that zoning outcomes must be proportionate, locality-based, and informed by site-specific values, existing settlement patterns, and realistic land management needs. Council has explicitly adopted a least-restrictive zoning preference where multiple zones may be appropriate, recognising that excessive constraint can itself create risk.

Applying the LCZ to this property would unnecessarily constrain proactive fuel management and duplicate existing controls, including the Natural Assets Code, Scenic Protection Code, and Bushfire Prone Area overlays, which already manage landscape and environmental values. The Ireneinc Review cautions that overly conservative zoning can lead to land management inertia without delivering clear benefits to landscape protection or community safety.

In a bushland-interface municipality with known bushfire risk, a planning outcome that inhibits lawful, planned fuel reduction on actively managed private land is inconsistent with contemporary bushfire policy, Council's zoning methodology, and the intent of the Kingborough Planning Scheme to promote safety and resilience. For these reasons, we respectfully submit that the Landscape Conservation Zone is not the most appropriate or proportionate zoning outcome for this land.

LCZ DOES NOT COMPLY WITH LUPAA ZONE GUIDELINES OR OBJECTIVES

Zone Guidelines

The Commission is required by section 35L(2) of LUPAA to assess whether the LPS meets the LPS criteria, which includes compliance with the Zone Guidelines. The Commission confirmed at the Day 20 hearing that it will decide based on the LPS criteria set out in section 34 of LUPAA and explicitly noted that Council's position — including its 16 March 2026 resolution favouring the 'least restrictive alternative' — is not binding on the Commission [Transcript, Day 20, 06:45:48]. I submit that the application of LCZ to my property does not comply with the Zone Guidelines as demonstrated below.

In Section 5.0 of Section 8A Guideline No.1 Local Provisions Schedule (LPS) zone and code application, it states:

LCZ 4 The Landscape Conservation Zone should not be applied to:

- (a) land where the priority is for residential use and development (see Rural Living Zone); or
- (b) State-reserved land (see Environmental Management Zone).

Note: The Landscape Conservation Zone is not a replacement zone for the Environmental Living Zone in interim planning schemes. There are key policy differences between the two zones. The Landscape Conservation Zone is

not a large lot residential zone, in areas characterised by native vegetation cover and other landscape values. Instead, the Landscape Conservation Zone provides a clear priority for the protection of landscape values and for complementary use or development, with residential use largely being discretionary. Together the Landscape Conservation Zone and the Environmental Management Zone, provide a suite of environmental zones to manage use and development in natural areas.

Our property is currently zoned Environmental Living (ELZ). The primary use and strategic intention of the land is and has always been residential. It has a dwelling built in 1995, has been occupied continuously, and is serviced by Solstice Electricity. There's no evidence the land's primary use is anything other than residential.

In correspondence with the Planning Authority, the TPC noted that the LCZ "appears to have been used to replace ELZ", a policy or strategy shift which should be 'comprehensively justified'. 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 had community input.

Objectives

LUPAA Schedule 1, Objective 1(b) states: 'to provide for the fair, orderly, and sustainable use and development of air, land and water'. Applying LCZ conflicts with this objective. It is unfair to remove permitted residential use; applying LCZ represents a net reduction in existing land use rights. Most 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 ELZ directly to the Rural Living Zone.

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 fits our property at [REDACTED]

RLZ Guideline RLZ 2(b) states RLZ may be applied to ELZ land where the primary strategic intention is for residential use in a rural setting and a similar minimum allowable lot size is being applied. Our property's size of 16.43 ha aligns with RLZ B with a minimum lot size of 2 ha.

THE IRENEINC EVALUATION PATHWAY (DECISION TREE)

The Ireneinc report applies an evaluation pathway (decision tree) to determine the appropriate zone. The Commission was told at Day 20 of the hearing that this framework is not a statutory instrument — it is a tool, not a rule [Kate Heckelmann, Transcript Day 20, 05:53:00]. Representations can depart from it with good evidence. However, we submit that even applying the framework as intended, our property satisfies the criteria for RLZ rather than LCZ.

The first decision point in the Ireneinc evaluation pathway asks whether there is a strategic intention for residential use. The report identifies visual evidence of existing residential use and known strategic intention as the relevant indicators. Our property clearly satisfies this criterion.

EVIDENCE OF STRATEGIC INTENT FOR LIVING

Both the original LPS and Ireneinc'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 our locality (Snug/Coningham) is stated as generally meeting strategic intent for living. Our property has an established dwelling, outbuildings, and signs of residential activity.

EVIDENCE OF RURAL LIVING SETTLEMENT

Ireneinc's review states that the Snug Tiers community meets the 'strategic intent for living' because there is evidence of residential uses scattered throughout. However, Rural Living Settlement status has been mostly denied, with the report citing a 'lack of consistent subdivision pattern with lots of the size which would contribute to a rural living settlement.'

This assessment appears biased, primarily due to two judgments:

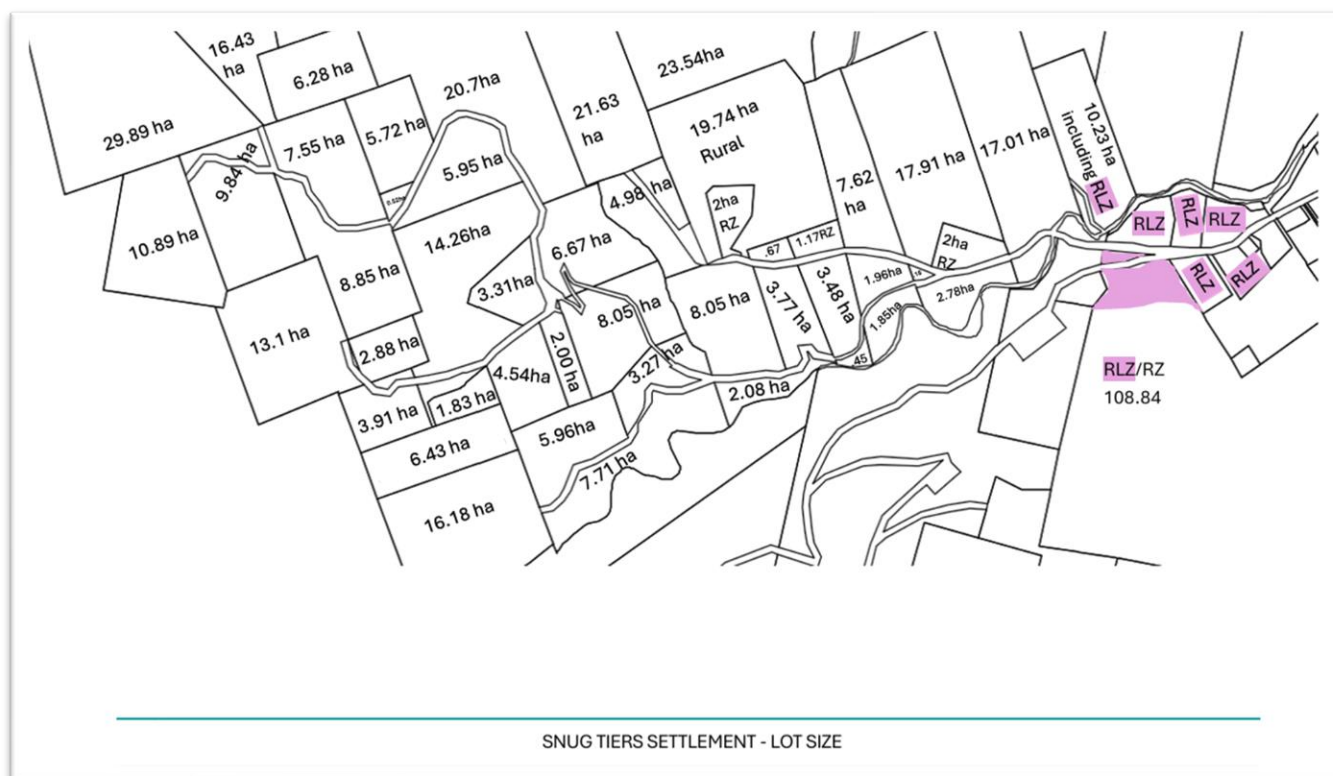
1. It favours smaller lot sizes, disregarding RLZ subcategories that limit subdivision of lots under 20ha and minimises development on larger lots through needs of access and services (note: there is NO maximum lot size in RLZ).
2. The 'consistent pattern' is only recognised if it resembles urban cul-de-sacs or road clusters, ignoring rural and lifestyle properties that are naturally sited around topographical features, inherited large lots, or purchased with future rural living in mind. For example, in Snug Tiers there is a clear pattern of large lot subdivision facing into the valley, on a Northwest to Southeast alignment around the topography.

These biases overlook the fact that residents live just minutes from Snug township, where they shop, support local businesses, send children to school, enjoy recreational activities, and work. The reliance on a desktop analysis, which cannot see beyond tree canopies and often lacks on-the-ground insight, leads to subjective judgments about rural settlements. For example, the Ireneinc report notes that three adjoining properties on Snug Tiers Road display 'a consistent pattern of rural living,' as does our property, yet it is still proposed to be part of the LCZ.

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.'

Homeowners in our area strongly disagree with Ireneinc's narrow assessment. We can demonstrate that the Snug Tiers community meets all three rural living settlement characteristics:

1. A pattern of at least ten smaller blocks, generally between 1–15 ha, with a consistent lot pattern. The pictured map shows our property among forty-one others in Snug Tiers, with lot sizes from 0.18 ha to 29.89 ha, a pattern established since the early 1800s. As you can see all properties can be managed by available RLZ lot sizes to minimise subdivision potential.
2. A pattern of 'detached dwellings and outbuildings,' which Ireneinc admits is "generally met, as many lots have identified residences and cleared areas". As you can see from the pictured map, there are dwellings and outbuildings located on nearly every property in our community. This also includes properties with development applications or strategic plans for living on empty blocks. Our property has a house, which is currently being renovated, a few sheds and a large area for cars.
3. Visual evidence of rural activities such as 'clearings, grazing and hobby farming etc.' Ireneinc states that "some residential uses are associated with farming," yet at the review hearing, it was clarified that the criteria list is only an example. Photos of our property shows a cleared fenced in paddock area for our horse and sheep. We have a veggie patch and plan to get chickens for eggs.



ASSESSING LANDSCAPE VALUES

From STRLUS CV 4.1 "State and local government, in consultation with the community, to determine an agreed set of criteria for determining the relative significance of important landscapes and key landscape values."

Ireneinc admits in review hearings that they did not consult with the community. 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 varied species of 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 Landscape Conservation zoning. As confirmed at the TPC review hearing on 14 April 2026, "LCZ is not for managing vegetation, that is the role of the Natural Assets Code", which applies to all properties. 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. You can see on this map that there is overwhelmingly strategic intent for living.
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 the landowners preference was conservation over living.
4. Owning private property in natural settings does not 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." Snug Tiers residents purchased homes in natural areas because they value the contribution this makes to their 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' natural settings are needed to confirm this assessment.
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 do not accurately reflect what is seen from local roads, towns, or waterways. Even Ireneinc admits that in the locality "bushland, landform, and ridgeline features ... remain visually intact," and the reality is that the siting of homes on Snug Tiers means they cannot be seen from these vantage points.



This is a photo taken from the water looking towards Snug Beach and our property on [REDACTED] is completely unseen. It is on the other side of the trees.

BALANCING LANDSCAPE VALUES AND LAND USE

In their S35F report, Kingborough Council states that applying RLZ 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 a “medium/high” risk of RLZ uses in this locality but does not 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 RLZ decisions, and that any short-term risks could be mitigated. This supports the case that RLZ is appropriate for our property, 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 is not necessary because “landscape values can be appropriately managed through the application and operation of the relevant codes” (Kingborough LPS guidelines, RLZ 4b).

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 have proven we can already care for on our own.

Ireneinc suggest that LCZ zoning near Snug Recreation Area is necessary to provide connectivity to the EMZ and function as a buffer between living zones. Not only have National Parks (EMZs) already been put aside for state management, 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 Low-Density Residential lots beside Coningham’s EMZ reserve.

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.



Photo above of invasive Foxglove which is all over Snug Tiers.



Photo above showing the work that the Snug Tiers community did to come together and pull these weeds.

It is also noted that our property is within a Biodiversity Protection Area, Landslide Hazard Area, Bushfire Prone Area and Waterway & Coastal Protection Area. As such the relevant codes in the planning scheme may apply to

any further development at the property. These overlays should satisfy the Council to determine appropriate development permits if submitted. The LCZ is an unnecessary added measure to conserve the property which is not needed. It will only decrease the value of our land by applying restrictions to it.

IN CONCLUSION

The Local Provisions Schedule process to date has been marked by a lack of meaningful engagement with affected landowners, falling short of the intent of LUPAA to promote transparent decision-making and genuine community participation. The approach taken by Kingborough Council appears to place disproportionate weight on environmental controls, with insufficient regard for established private land use rights. This imbalance risks unintended consequences for residents, including impacts on personal wellbeing, long-term financial security, and potential future legal and compensation matters.

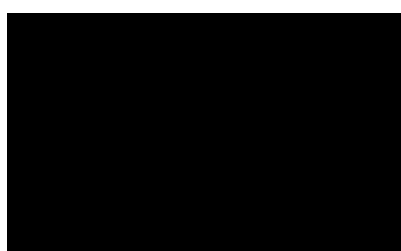
For our family, the last 8 months have been a period of considerable stress and uncertainty as we have tried to understand the rationale behind the proposed loss of rights associated with land we lawfully purchased to live on and to provide stability and security for our future.

We respectfully ask the Tasmanian Planning Commission to carefully consider the concerns raised in this submission and to halt the ongoing rezoning of properties from the Environmental Living Zone to more restrictive zones.

We seek a direction that our property be rezoned from the Environmental Living Zone to Rural Living Zone, with environmental considerations appropriately managed through the existing natural values codes. We would welcome the opportunity to address the Commission at a formal hearing.

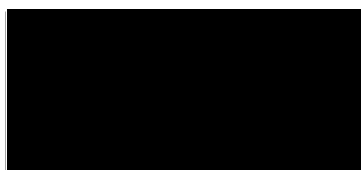
Finally, should the Commission be considering any alternative zoning or planning outcome, we respectfully request that affected landowners be given the opportunity to respond prior to any final determination being made.

Yours sincerely,



Tracy Harvey

30 April 2026



Timothy Harvey

Attachments:

Attachment A – **Witness to Representation 430** – 24 August 2025

Attachment B – **Landowner Statement and Consent Form** – 11 September 2025

**Indication of support for Kingborough Draft LPS representation
made by Josh Graeme-Evans (Kingborough Council Reference: 430)**

Name	Tim and Tracy Harvey
Property address/Title	██████████ – VOL. █████ FOL. █████
Preferred contact	██████████
Do you support my representation	Yes
What is your preferred Zone?	Rural Living Zone
What comments do you have for the TPC?	As a property owner directly affected by the potential implementation of the LCZ, I request this zoning not to be undertaken. We maintain, develop and enjoy our property and the flora and fauna therein, with deep appreciation of their natural qualities and location, including regular contributions to bushfire safety and land management. The changes associated with the Landscape Conservation Zoning is significant; I am concerned that rezoning our property will affect my family's ability to continue to care diligently for this land in future. Other significant issues include the ability to provide a home that can contain my growing family safely as well as ongoing financial costs. Not only will property values decline, but the ability also to obtain finance and insurance on competitive terms will be compromised. This is an unconscionable outcome.
What comments do you have for Kingborough Council and the process that they have undertaken?	As a property owner directly affected by the potential implementation of the LCZ I am extremely concerned about the process that the Kingborough Council has undertaken. There has been no individual notification of the potential LCZ zoning and its effect on my property or family. They have failed to exercise appropriate planning competence and integrity in relation this matter. There has been a clear and unrelenting focus on natural values which has not been balanced with other relevant planning considerations, and the need for families to grow and develop along with their land and properties. There has also been inadequate consultation. This approach clearly does not satisfy the requirements of the Schedule 1 – Objectives outlined in the Land Use Planning and Approvals Act 1993.
Do you want to attend a TPC hearing so that you can fully speak to your property and the issues at hand?	Yes

Attachment B – Landowner Statement and Consent Form – 11 September 2025

Landowner statement and consent form – Kingborough LPS

I/We: TIM AND TRACY HARVEY
(Your name/s)

Legal owners of: [REDACTED]
(Property address) SNUG, TAS, 7054

Advise that we support Representation 430, in that we reject the proposed application of the Landscape Conservation Zone to our land. We consent to being "witnesses" to this representation and request the following zone for our property:

Preferred Zone (select as appropriate):

- ☒ Rural Living Zone
☐ Rural Zone
☐ Other (specify):

We also confirm the following (circle as appropriate):

1	We would like to attend a future hearing date to provide clarity over our intent for our land	☒ Yes / No
2	We were not aware of the rezoning proposal until after 9 December 2024	☒ Yes / No

Contact details:

Phone:	[REDACTED]
Email:	[REDACTED]

Name: TRACY HARVEY

Signature: [REDACTED]

Name: TIM HARVEY

Signature: [REDACTED]

Appendix B



Caleb and Nathanael Elcock

[Redacted]
[Redacted]

Mr David Stewart, CEO Kingborough
Council

Kingborough Council, Locked Bag 1, KINGSTON
TAS 7050

Phone: (03) 6211 8200

Our Ref: LPS-KC-24/25/84141-111856

Dear Mr David Stewart, CEO

Please find attached our representation to the Kingborough Council's Draft LPS Exhibited in accordance with section 35C(4)(b)(ii) of the Land Use Planning and Approvals Act 1993 [LUPAA].

We are exercising our rights to submit the following representation under section 35E of the Act. Specifically, but not limited to matters concerning section 35E(3)(a,b,c), noting that the exhibited Ministerial Directive that cites Schedule 6, Clause 8D(2) of the Act to include the exhibited Scenic Protection Overlay under a transitional provision in Clause C8.2.1 of the SPPs.

We insist therefore, that this representation be considered as a discrete representation to be considered in accordance with the Act, specifically to section 35F and given treatment afforded by section 35F(2)(a,b,ba,c,d,e).

Further, we insist that the relevant public authority notifies the landowner that we have made this representation on their property and be given a copy of this representation and be invited to make comment, to the matters prosecuted. We naturally, defer to the wishes and intent of the landowner/s over that of our own and see this as a matter of the carriage of Natural Justice.

As a matter of privacy of private information, we request under the provisions under the Personal Information Protection Act 2004 and Right to Information Act 2009 that our contact, post nominal, signatures and address be removed to only be used internally and not published. Our names may be publicly facing.

Until anon,

[Redacted Signature]

Caleb Elcock

[Redacted Address Line 1]
[Redacted Address Line 2]

Date 06 Dec 2024

[Redacted Signature]

Nathanael Elcock

[Redacted Address Line 1]
[Redacted Address Line 2]

Date 06 Dec 2024

CID	CT	FOLIO	PID

Representation on Property CT:



Figure 1: Property Boundaries indicated in Red

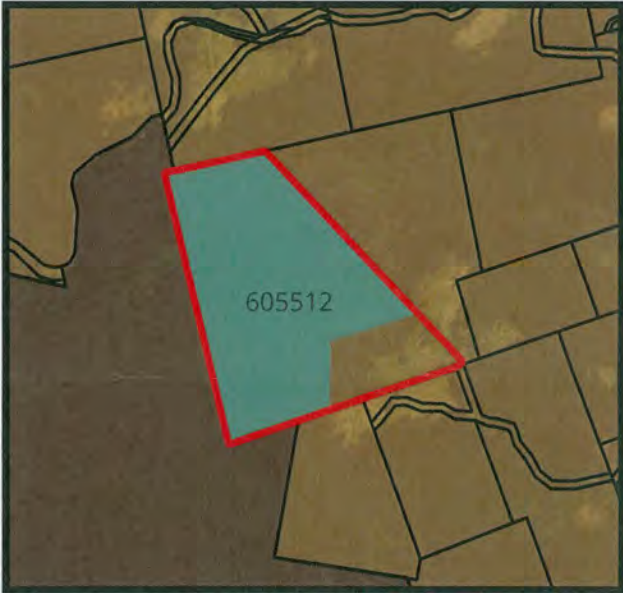


Figure 2: PTR Layer With indicated PTR Overlay in turquoise.

Title CT: is exhibited to be zoned 22.0 Landscape Conservation as noted in the mapping provided by Council during the exhibition period, away from 14.0 Environmental Living in the KCIPS2015.

We have consulted the following Exhibited Documents:

- * Kingborough Local Provisions Schedule: Supporting Document; Version 2, Oct. 2024, Kingborough Council.
- * Kingborough Local Provisions Schedule: Attachment C; Oct. 2024, Kingborough Council.
- * Kingborough Draft LPS: Outstanding Issues Notice; 18 Sept. 2024, Probert, R. Tasmanian Planning Commission.
- * Kingborough Land Use Strategy; May 2019 (Version 2, Oct 2024), Kingborough Council.
- * Ministerial Declaration of Transitional Provisions Directive, 13 Apr. 2023, Hon. Ferguson, M. DOI 22/128584.

Folio of the Register CT: has not been cited explicitly within the above mentioned documents. It has been determined that insufficient justification could be found that validates Council's view that this land parcel should be zoned 22.0 Landscape Conservation.

Subject title has a Private Timber Reserve, therefore meets Section 16.5 Regional Policies of the STRLUS, PR5, PR5.1, PR5.2. 20.0 Rural Zone is the closest zone to 26.0 Rural Resource and should be adopted for this title given the documented intent evidenced by the presence of the PTR. This is in keeping with Table 15 of the Council's Supporting LPS Report on page 113, 117. PR5.1.

The 20.0 Rural Zone should be adopted in a way that best maintains the contiguous zoning pattern in this area. Split zoning whilst entertained in some instances, should be avoided unless a specific need warrants its use. Split zoning causes undue complexity and should be discouraged.

CID	CT	FOLIO	PID

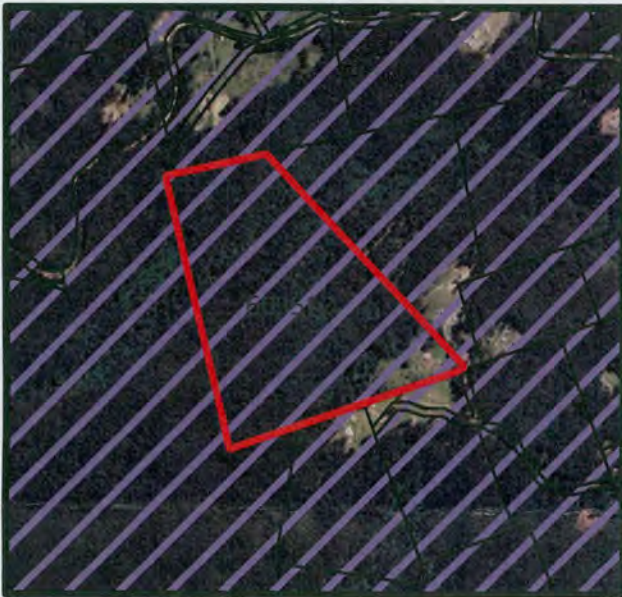


Figure 3: Title with Scenic Overlay in purple striped shade

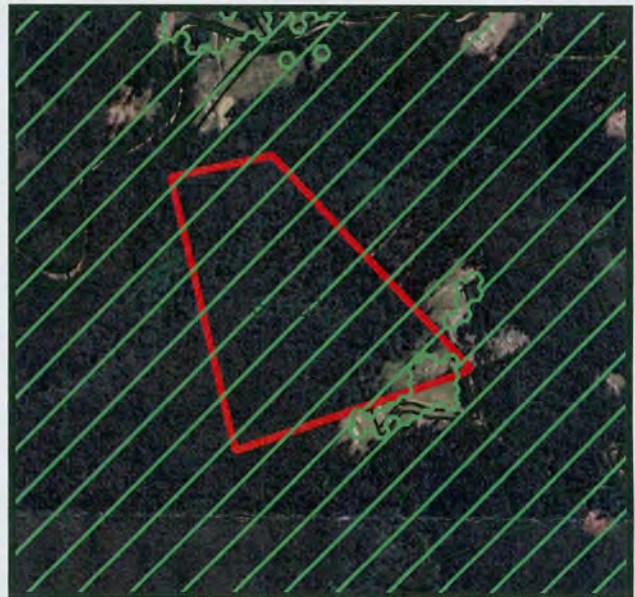


Figure 4: Title with Natural Assets Overlay in green striped shade (Priority Vegetation).

Title CT: [REDACTED] is exhibited to have the C7.0 Waterway and Coastal Protection Area, C7.0 Priority Vegetation, C8.0 Scenic Protection Area, C13.0 Bushfire-Prone Areas, C15.0 Landslip Hazard as noted in the mapping provided by Council during the exhibition period, away from E1.0 Bushfire-Prone Areas Code, E3.0 Landslide Code, E10.0 Biodiversity Code, E11.0 Waterway and Coastal Protection Code, E14.0 Scenic Landscapes Code in the KCIPS2015.

We have consulted the following Exhibited Documents:

- * Kingborough Local Provisions Schedule: Supporting Document; Version 2, Oct. 2024, Kingborough Council.
- * Kingborough Local Provisions Schedule: Attachment C; Oct. 2024, Kingborough Council.
- * Kingborough Draft LPS: Outstanding Issues Notice; 18 Sept. 2024, Probert, R. Tasmanian Planning Commission.
- * Kingborough Land Use Strategy; May 2019 (Version 2, Oct 2024), Kingborough Council.
- * Ministerial Declaration of Transitional Provisions Directive, 13 Apr. 2023, Hon. Ferguson, M. DOI 22/128584.

Folio of the Register CT: [REDACTED] has not been mentioned explicitly within the above cited documents. It has been determined that partial justification could be found that validates Council's view that this land parcel should have the previously mentioned overlays. We will only speak to the Scenic Protection and Priority Vegetation Overlays.

Subject title has a Scenic Protection Overlay. As noted in the Council's LPS Supporting document on p. 159, the transitional provision in clause C8.2.1 of the SPPs, and with regard to the above Ministerial Directive on pp. 8, 13, 18 "... to Schedule 6, Clause 8D(2) of the Act", and despite reasons listed in our section on Scenic Protection Overlay, the KCIPS2015 Code will transition as is. See recommendations in our discussion pertaining to this overlay.

The property has a Priority Vegetation Overlay. It is noted that Table 45 on p. 153 of Council's Supporting LPS Document cites LP1.7.5(d) that allows for the modification of the priority vegetation area. Given that this property has a PTR, the Priority Vegetation Area should be removed from those areas to reflect the ground truthing and agreed use e.g. plantation forestry, pasture, that would have occurred during the creation of the PTR. There is a cleared area to the South of the subject title, and over buildings and pastures. The Priority Vegetation should also be removed from this portion of the property.

CID	CT	FOLIO	PID

Overview assessment for CT Title: [REDACTED]

Is this representation consistent with:

The STRLUS: Title meets Section 16.5 Regional Policies of the STRLUS, PR5, PR5.1, PR5.2. See p114 Table 15 of Council's supporting LPS Report PR 5.1 PTR to be Rural Zone.

State Policies/SPPs: Zoning of 20.0 Rural Zone is consistent with SPP, Table 4.4.1 (b), Zone Purpose 20.1.1(a)-(d); 20.1.2; 20.1.3. Potentially requiring Use Classes as detailed within Table 20.2 such as Resource Development, Resource Processing, Storage. Uses that could be in conflict with 22.3 use table. And 22.1 Zone Purpose. Specific to the apparent PTR on Title.

Guidelines Section 8A: Title meets Section 8A Criteria RZ1; RZ2; Potentially RZ3c). Consistent with Council's Table 31: Zone Compliance – Rural Zone. p135. Council's Table 33. p139, and wider Supporting LPS Report fails to address STRLUS Section 16.5 framework specifically to this title (See above STRLUS Comments).

TPC Drafting Instructions / Practice Notes: Unknown

Local Strategy / Policy: The Planning Authority has not provided a current Land Use Strategy.

A "like for like" Conversion: Is not a like-for-like conversion.

Natural Justice Issues: As per the preceding Section in the explanatory report on Natural Justice Issues, we consider this to be a discrete representation made on CT Title: [REDACTED] and therefore the landowner/s will need to be contacted by the relevant Planning Authority or Public Authority, inviting the landowner to provide additional information to the hearings process. We naturally, support the individual land owner's view of zoning outcomes over their own property.

Planning Authority's Response to Representation for CT Title: [REDACTED]

Is this representation consistent with:

The STRLUS:

State Policies:

Guidelines Section 8A:

TPC Drafting Instructions / Practice Notes:

Local Strategy / Policy:

A "like for like" Conversion:

Natural Justice Issues:

Additional Comments:

Appendix C

From: [REDACTED]
Sent: Mon, 9 Dec 2024 16:47:53 +1100
To: "KC Mail" <KC@kingborough.tas.gov.au>
Subject: Kingborough Draft LPS - representation
Attachments: Kingborough LPS representation - Josh Graeme-Evans.pdf, Attachment 1 - Title listing.xlsx

CAUTION: This email is from an external source. Do not click links or open attachments unless you recognise the **sender email address** and **know the content is safe**.

SLAM - Check for suspicious: **S**ender email address, **L**inks, **A**ttachments and **M**essage content.

Good afternoon,

Please find attached a representation in relation to the Kingborough Draft LPS currently under exhibition.

Regards

Josh Graeme-Evans

Mr David Stewart
CEO Kingborough Council
Kingborough Council
Locked Bag 1, KINGSTON TAS 7050

Kingborough Draft LPS representation

Please accept this representation for all titles listed at Attachment 1.

This includes all properties nominated for the Landscape Conservation Zone in the Draft Kingborough LPS. An alternative recommended zone is provided in the same table.

This representation is driven by several concerns:

1. many property owners are simply not aware of this process;
2. the changes associated with the Landscape Conservation Zoning are significant;
3. the ability of property owners to obtain finance and insurance on competitive terms will be compromised. This is an unconscionable outcome;
4. Kingborough Council has failed to exercise appropriate planning competence and [REDACTED] in relation this matter. There has been a clear and unrelenting focus on natural values which has not been balanced with other relevant planning considerations. There has also been inadequate consultation. This approach clearly does not satisfy the requirements of the Schedule 1 – Objectives outlined in the *Land Use Planning and Approvals Act 1993*; and
5. The impacts of changed finance and insurance arrangements on property holders are severe alone violate the concept of “fair” as outlined in LUPA Schedule 1 – Objectives 1(b).

I request that in the interests of natural justice, and considering the high-impact of the proposed changes, that property owners be directly written to, invited to participate in this process and given the opportunity to affirm (or otherwise) the zoning recommendations outlined in Attachment 1.

I will provide additional information at a later date to further support this representation.

Regards

Josh Graeme-Evans

[illegible]

[REDACTED]

[REDACTED]

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Conservation Zone

Rural Living Zone