
From: Justine Brooks <justine.brooks@pda.com.au>
Sent: Monday, 4 May 2026 11:58 PM
To: Kingborough LPS
Cc: Hugh Clement
Subject: KCC LPS Submission [REDACTED] - response to Ireneinc Direction 69 report
Attachments: Submission KCC LPS [REDACTED] - Ireneinc Direction 69 report JB290426.pdf

You don't often get email from justine.brooks@pda.com.au. [Learn why this is important](#)

Please find attached a submission re [REDACTED]. A cover letter forms part of this attachment.

Thank you

Justine Brooks

To: Tasmanian Planning Commission
Attention: Assessment Panel – Kingborough Draft Local Provisions Schedule
Via email: kingboroughlps@planning.tas.gov.au

Subject: Submission – Draft Kingborough Local Provisions Schedule (LPS) – [REDACTED],
Tinderbox [REDACTED]

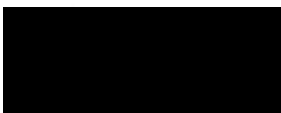
Dear Panel Members,

I have prepared this submission on behalf of Tinderbox Proprietary Limited in relation to the Draft Kingborough Local Provisions Schedule (LPS) and the proposed zoning of land at [REDACTED], [REDACTED], Tinderbox [REDACTED].

The submission requests that the land be zoned primarily Rural Zone, with any Environmental Management Zone confined to discrete areas only where the Guideline No.1 criteria are clearly met (for example, reserved land or land where the planning intention is to limit use and development for protection/conservation). This is sought because the land is a single working rural holding used for cattle grazing (with no existing dwelling), the land is mapped as marginal capability (Class 6), and the draft split-zoning outcome (LCZ/EMZ/AZ) unnecessarily fragments planning controls across one operating property.

If you require any additional information, please contact the undersigned.

Yours faithfully,



Justine Brooks RPIA GTLP

Principal Consulting planner MEnvPlg MBA

PDA Surveyors Engineers and Planners

On behalf of Tinderbox Proprietary Limited

Date: 29 April 2026

Submission

Draft Kingborough Local Provisions Schedule (LPS)

Re: [REDACTED], Tinderbox [REDACTED]

Prepared by: Justine Brooks RPIA

Qualifications: MEnvPlg, MBA

Organisation: PDA Surveyors Engineers and Planners

Prepared for: Tinderbox Proprietary Limited (Landowner)

Date: 29 April 2026

Executive summary

This submission is made in direct response to Direction 69 and Ireneinc's response to Direction 69 regarding the application of the Landscape Conservation Zone (LCZ).

The submission tests whether the exhibited zoning outcome applied to [REDACTED] remains appropriate when assessed against:

- Ireneinc's revised methodology;
- locality baselining and alternative zone evaluation framework;
- Section 8A Guideline No.1; and
- Council's adopted Direction 69 position, which expressly prefers the least restrictive appropriate zoning outcome.

Conclusion: The exhibited LCZ / EMZ / Agriculture Zone split cannot be sustained as the most appropriate planning outcome.

Requested zoning outcome:

- Apply Rural Zone as the primary zone across the land;
- Limit Environmental Management Zone (EMZ) to clearly justified and discrete areas only; and
- Do not apply LCZ or Agriculture Zone as the dominant zone across the holding.

This outcome best reflects:

- the land's established and ongoing productive rural use;
- the Ireneinc finding that landscape values alone should not determine zoning;
- Direction 69's requirement to prefer the least restrictive appropriate zone; and
- the need to avoid fragmented and piecemeal zoning across a single working farm.

Evidence Relied Upon

This submission relies on the following agreed and verifiable factual matters, which form the evidentiary foundation for the zone application assessment that follows:

- Landholding: [REDACTED] comprises a single title of approximately 240 hectares in single ownership and is managed as one integrated rural enterprise;
- Current land use: Mixed grazing (cattle and sheep) grazing across both cleared and elevated areas of the site, and viticulture (small area of vineyard with cellar door)

- Built development: An historic farmhouse exists on the land and is currently rented by employee;
- Agricultural assets: An established vineyard supported by significant on-site water resources that enable ongoing production and future agricultural diversification;
- Land capability: LIST land capability mapping identifies the land predominantly as Class 6, indicating marginal suitability for grazing without direct and ongoing land management improvements;
- Draft zoning outcome: The Draft LPS applies a split zoning of Landscape Conservation Zone, Environmental Management Zone and Agriculture Zone across the holding.

These matters are not in dispute and provide the basis for assessing whether the exhibited zoning represents the most appropriate planning outcome under Section 8A Guideline No.1 and Ireneinc's response to Direction 69.

1. Land Description and Current Use

The land at [REDACTED], Tinderbox, known as [REDACTED], comprises a single rural holding of approximately 240 hectares located on the southern portion of the Tinderbox peninsula.

The property:

- is held in single ownership and operated as one integrated rural enterprise;
- is used for mixed grazing, including both cattle and sheep;
- contains an historic farmhouse, which is currently rented;
- includes an established vineyard; and
- contains significant on-site water resources that support existing agricultural production and provide capacity for expansion.

Sheep grazing occurs across both cleared land and elevated hill areas. The higher country is not residual or purely scenic land. It forms an active part of the productive holding and has historically contributed to the enterprise, including the production of award-winning superfine Merino wool. This demonstrates that the land functions as a single productive rural system rather than a fragmented or conservation-led landscape.

While the land supports agricultural use, LIST land capability mapping identifies the land predominantly as Class 6, indicating it is marginally suitable for grazing without direct and ongoing land management improvements. This classification reinforces that, although productive, the land is constrained and is not appropriately characterised as prime or high-quality agricultural land. In addition to existing grazing and viticulture, the property has legitimate long-term rural diversification potential associated with agriculture, including vineyard expansion, farm-gate and cellar door activity, and other low-impact farm-related enterprises (such as small-scale events), subject to future merit-based assessment.

2. Purpose of Submission – Direction 69 and Ireneinc's response

This submission responds specifically to Ireneinc's response to Direction 69.

Direction 69 does not ask whether land contains landscape values.

It asks whether the exhibited zoning outcome remains appropriate once those values are tested against:

- alternative zones;
- applicable overlays and codes; and
- least-restrictive zoning principles.

When that test is properly applied to [REDACTED], the exhibited LCZ-led outcome does not withstand scrutiny.

3. Key Ireneinc Findings Relevant to 441 Tinderbox Road

3.1 Landscape values alone should not determine zoning

Ireneinc expressly states that the identification of landscape values should not, of itself, determine zoning outcomes. The correct planning task is to determine whether identified values can be appropriately managed through available zones and codes.

For [REDACTED], scenic and environmental values can be appropriately managed through:

- a Rural Zone base;
- applicable overlays and codes (e.g. Natural Assets, Scenic Protection); and
- site-specific assessment where required.

3.2 Alternative zones must be properly tested

Ireneinc finds that earlier LCZ application was overly conservative and failed to adequately test less restrictive alternatives.

That criticism applies directly to the exhibited LCZ / EMZ / Agriculture zoning applied to this land, which assumes restriction as a starting point rather than testing whether Rural Zone is capable of managing identified values.

3.3 Direction 69 – least restrictive appropriate zone

Council's adopted Direction 69 response confirms that, where more than one zone may be appropriate and landscape impact is the key consideration, the least restrictive appropriate zone should be preferred.

For [REDACTED]:

- Rural Zone is capable of managing the land;
- overlays and codes address specific values; and
- targeted EMZ can address genuinely constrained areas.

In those circumstances, LCZ should not prevail.

3.4 Avoid fragmented and piecemeal zoning

Ireneinc warns against fragmented zoning outcomes and supports split zoning only where clearly justified by underlying values.

The exhibited three-zone split fragments:

- a single title;
- a single ownership; and
- a single operating farm.

This creates unnecessary complexity and inefficiency across one working rural holding.

3.5 Southern Tinderbox is a distinct farming landscape

Ireneinc's locality baselining recognises that the southern Tinderbox peninsula comprises a cleared farming landscape that is materially different from the more vegetated conservation areas elsewhere in Tinderbox.

██████████ forms part of this southern farming landscape and should be zoned accordingly.

4. Section 8A Guideline No.1 – Zone Application Assessment

4.1 Comparative assessment – Landscape Conservation Zone and Rural Zone

The table below summarises the application of Section 8A Guideline No.1 to the two zones most relevant to the zoning question for Tinderbox Farm.

Zone	Guideline No.1 purpose (summary)	Application to ██████████
Landscape Conservation Zone (LCZ)	Applied where the primary purpose is protection, conservation and management of landscape values, with only compatible, small-scale use or development intended.	The land is a single, established and productive rural holding. Applying LCZ as the dominant zone would treat agricultural production as a subordinate or compatible activity, which does not reflect the land's primary strategic intent.
Rural Zone (RZ)	Applied to non-urban land where agricultural use may be constrained by topography or other factors, and where land is not more appropriately included in a conservation or environmental zone for protection of specific values.	Best-fit primary zone. Reflects the land's working rural function, allows ongoing and diversified agricultural use, and enables scenic and environmental values to be managed through overlays, codes and targeted controls.
Agricultural Zone (AZ)	Applied to land intended to be protected for agricultural use, generally where land capability and physical characteristics support ongoing and intensive agricultural production.	While the land supports agricultural activity, Agriculture Zone is not the most appropriate zone, given the Land Classification of 6 indicating the land is marginally suitable for grazing, and the fact that the topography of the site makes it difficult to actively farm across the title. Sheep grazing is likely the only suitable activity for the steeper areas of the site.
Environmental Management Zone	Guideline No.1 requires that land proposed for EMZ: - contains clearly identified and significant values; and - demonstrates that those values require a conservation-led planning response. EMZ is not triggered merely because environmental or scenic values exist — those occur across much of Tasmania.	EMZ may be appropriate only for clearly defined and discrete areas that demonstrably meet the Guideline No.1 threshold and where limiting use and development is the clear planning intention.

Zone	Guideline No.1 purpose (summary)	Application to 441 Tinderbox Road
	EMZ is to be applied where the dominant planning intention is to: • protect land with significant ecological, scientific, cultural or scenic values; and • limit use and development in order to protect those values.	EMZ should not be applied in a manner that unnecessarily fragments the broader rural enterprise.

4.2 Avoidance of Split Zoning

In applying Section 8A Guideline No.1, unnecessary split zoning across a single operating landholding should be avoided. [REDACTED] is managed as one integrated rural enterprise under single ownership, with existing and intended uses operating cohesively across the title. Introducing multiple base zones would fragment the planning framework, add unwarranted complexity, and risk constraining routine rural land management without clear strategic justification. In this context, the Rural Zone provides the most appropriate primary zoning response, reflecting the land's non-urban, productive but constrained characteristics while allowing identified values to be managed through overlays, codes and, if required, limited and discrete application of Environmental Management Zone. This approach is consistent with Ireneinc's response to Direction 69, which discourages piecemeal zoning and supports the least restrictive zone capable of managing impacts.

5. Requested Planning Outcome

The requested and appropriate outcome is:

- Rural Zone applied as the primary zone across [REDACTED];
- Environmental Management Zone limited to clearly justified discrete areas only; and
- No LCZ applied as the dominant zone.

Scenic, environmental and natural values should be managed through overlays, codes and site-specific controls in the first instance.

6. Conclusion

When Ireneinc's response to Direction 69, its revised methodology and Section 8A Guideline No.1 are applied consistently, the exhibited zoning outcome cannot be sustained.

[REDACTED] is:

- a single productive and diversified rural holding;
- part of a distinct southern Tinderbox farming landscape; and
- capable of managing identified values through Rural Zone supported by targeted controls.

The appropriate and orderly planning outcome is therefore a Rural Zone primary zoning, with any Environmental Management Zone confined to clearly justified areas only.