
From: gordon broome <[REDACTED]>
Sent: Sunday, 3 May 2026 12:27 PM
To: Kingborough LPS
Subject: Submission — Kingborough LPS Direction 69 — [REDACTED], Kaoota
Attachments: [REDACTED], Kaoota_TPC Submission.pdf

Please find attached a formal submission for [REDACTED], Kaoota. Title Reference: [REDACTED]

03/05/2026

Gordon Broome & Chloe Jorgensen

[REDACTED]
Kaoota TAS, 7150
[REDACTED]
[REDACTED]

Tasmanian Planning Commission
Level 3, 144 Macquarie Street
Hobart TAS 7000
Via email: KingboroughLPS@planning.tas.gov.au

To the Tasmanian Planning Commission,

We write in response to the correspondence dated 2 April 2026 (reference DOC/26/36829), which advises that the Irene Inc report recommends the application of a split zoning comprising the Rural Zone (RZ) and the Landscape Conservation Zone (LCZ) to our property under the draft Kingborough Local Provisions Schedule (LPS), rather than the Landscape Conservation Zone alone as exhibited.

We understand this correspondence to have been issued to afford procedural fairness and to provide an opportunity for affected landowners to make further submissions. We welcome that opportunity and provide the following submission for the Commission's consideration.

Landowner name(s)	Gordon Broome & Chloe Jorgensen
Property address	[REDACTED], Kaoota
Title reference (folio)	[REDACTED]
Lot size (approx.)	8.97ha
Locality	Kaoota and Sandfly
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Irene Inc recommended zone	Split Landscape Conservation Zone & Rural Zone
Zone sought in this submission	Rural Living Zone (RLZ)

1. Overview and Purpose of Submission

This submission addresses the proposed zoning outcome for [REDACTED], Kaoota, as identified in the Irene Inc review and subsequent correspondence from the Tasmanian Planning Commission.

It is acknowledged that the Irene Inc report recommends removal of the exhibited Landscape Conservation Zone (LCZ) from part of the land and proposes a **split LCZ / Rural Zone (RZ)** outcome.

This submission contends that **neither LCZ nor RZ is an appropriate classification**, and that the recommended split zoning is unsupported by land use reality, zone intent, or established Commission practice.

The submission seeks application of the **Rural Living Zone (RLZ)** as the only zone that accurately reflects the land's use, history, and planning context.

2. Use History and Functional Character of the Land

A dwelling has existed on the subject land since the **1950s**. For more than seventy years, the land has functioned as a single residential holding, occupied and managed as a rural residential property rather than land dedicated to conservation or agricultural production.

The house is not recent, incidental, or transitional. It forms part of the land's enduring identity. Residential occupation has consistently guided land management decisions, access arrangements, services, and infrastructure provision.

The planning function of the land is therefore clear: it is **residential land in a rural setting**, not conservation land and not rural production land.

3. Established Infrastructure Confirms Settlement Intent

Power infrastructure is established across the property. Electricity supply reflects long-term and permanent occupation and is not typically extended to land intended primarily for conservation outcomes or speculative rural use.

Infrastructure of this nature confirms that the land is part of a settled rural residential landscape. It is incompatible with classification as conservation-priority land and undermines any assertion that the land operates as undeveloped or transitional rural land.

4. Landscape Conservation Zone Is Not Appropriate

4.1 LCZ Purpose Misalignment

The Landscape Conservation Zone is intended to apply where **landscape or conservation values are the dominant and overriding land management objective**.

While the subject land contains vegetation and slope, these characteristics are common throughout the Kaoota and Sandfly area and do not, of themselves, define conservation land. The land has not been reserved, quarantined, or managed primarily for ecological restoration or landscape protection.

The existence of a long-established dwelling fundamentally contradicts the application of a zone whose primary intent is conservation over occupation.

4.2 Residential Use Is the Defining Feature

Residential occupation is not incidental on this land — it is the defining use. Applying LCZ would subordinate the very use that has shaped the land for decades, contrary to the intent of the zone and the Commission's consistent approach to residential land.

LCZ is not designed to retrospectively relabel established residential properties as conservation land simply because they are vegetated or scenic.

4.3 LCZ Is Not a Replacement for Environmental Living Zone

The Environmental Living Zone permitted residential use subject to environmental controls. The LCZ introduces a materially different hierarchy that prioritises conservation outcomes ahead of residential occupation.

Applying LCZ to land such as [REDACTED] represents a **substantive policy shift**, not a neutral translation. Such a shift requires a high level of site-specific justification, which has not been provided.

5. Split Zoning of a Single Lot Is Fundamentally Flawed

The Irene Inc recommendation proposes dividing a **single title** between LCZ and RZ.

This approach is inherently problematic.

The land operates as **one integrated holding**:

- One title
- One dwelling
- No internal change in land use
- No internal functional boundary

There is no defensible reason why one part of the same title should be treated as conservation land and another as rural production land when neither accurately describes how any part of the land actually functions.

The Commission has consistently indicated that intra-lot zoning is only suitable where there is a clear and durable internal distinction. No such distinction exists here. This issue is illustrated in Appendix A.

6. Rural Zone Is Not an Appropriate Alternative

6.1 Failure to Satisfy the Purpose of the Rural Zone

The Rural Zone is intended to apply where **rural production or resource use is the primary objective**, with residential use being incidental.

That test is not met.

Residential use is not merely present; it has structured land management, access, servicing, and use outcomes for more than seven decades. Residential occupation is the principal land use. The dwelling is not ancillary to an agricultural enterprise, nor is the land managed principally for rural production. Any agricultural or domestic activity is subordinate to residential use, not the other way around.

Applying the Rural Zone would therefore misclassify the land and impose a planning framework built on assumptions that do not reflect reality.

6.2 Zoning by Elimination Is Not Legitimate

The Rural Zone should not be applied simply because LCZ is inappropriate. Zoning must reflect what the land **is**, not what it is not.

In this case:

- LCZ fails because conservation is not the primary function;
- RZ fails because rural production is not the primary function;
- RLZ succeeds because rural residential occupation is the primary function.

Endorsing a split RZ outcome would represent zoning by elimination rather than principled decision-making.

7. Environmental Controls Are Already Adequately Provided

Environmental values on the land are already managed through overlays addressing vegetation, bushfire risk, landslip, and scenic protection.

These mechanisms regulate outcomes without misrepresenting the land's use. Applying LCZ or RZ adds constraint without delivering a commensurate planning benefit and risks duplicating controls rather than refining them.

8. Rural Living Zone Is the Correct and Purpose-Designed Outcome

The Rural Living Zone is specifically intended to accommodate:

- Established residential use;
- Low-density settlement outside urban areas;
- Rural settings where environmental values are managed through overlays;
- Land that is neither conservation-dominant nor production-dominant.

Application of the Rural Living Zone would not enable intensification or further subdivision. It would simply align zoning with reality.

8.1 Minimum Lot Size Consistent with Established Rural Living Pattern

The Rural Living Zone is sought with a **minimum lot size that reflects the established pattern of Rural Living properties in the Kaoota and Sandfly area**, rather than a generic or lowest-common-denominator standard.

Nearby land already applied or accepted as Rural Living Zone is characterised by:

- Lot sizes comparable to or greater than the subject land;
- Single dwellings on large, non-subdivided titles;
- An absence of pressure for further fragmentation;
- Reliance on overlays for environmental and landscape protection.

Applying a minimum lot size consistent with these surrounding Rural Living properties would ensure that:

- No additional development yield is created;
- The existing low-density settlement pattern is maintained;
- The zoning outcome reflects land function rather than incentivising change.

Such an approach aligns with the Commission's established practice of using **minimum lot size controls as the mechanism to maintain rural living character**, while avoiding the misapplication of restrictive zones to land that is already developed and occupied.

9. Conclusion and Requested Outcome

The proposed zoning outcomes for [REDACTED] fail to reflect the land's established function, history, and settlement context.

- The Landscape Conservation Zone is inappropriate given long-standing residential use.
- The Rural Zone mischaracterises the land and fails the zone's own purpose test.
- Splitting the land between two unsuitable zones compounds the error.

Requested Determination

That the Tasmanian Planning Commission modify the draft Kingborough Local Provisions Schedule to apply the **Rural Living Zone** to the entirety of [REDACTED], Kaoota.

This would represent a reasoned and coherent zoning outcome consistent with land use reality, Planning Scheme intent, and established Commission practice

Yours sincerely,

[REDACTED]

Gordon Broome

[REDACTED]

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Appendix A: Excerpt from Irene Inc LCZ Review Mapping — [REDACTED]

The map illustrates the proposed split zoning of a single title at [REDACTED], Kaooota, showing part of the land recommended for the Landscape Conservation Zone and part for the Rural Zone. The zoning boundary aligns with road termination and local topography rather than any internal change in land use, character, or planning function, illustrating the lack of a defensible basis for dividing the title.

