
From: Fiona McConaghy [REDACTED]
Sent: Wednesday, 29 April 2026 11:01 AM
To: Kingborough LPS
Cc: Fiona & Brendan Shanley; Matthew Mcconaghy-Shanley
Subject: CM: HEARING SUBMISSION LPS-KIN-TPS — Kingborough Local Provisions Schedule | [REDACTED] Woodbridge
Attachments: Shanley_Submission_24426.pdf

Dear Tasmanian Planning Commission,

Please see attached submission from Brendan & Fiona Shanley / [REDACTED] Woodbridge TAS 7162 for your review and attention. Please let us know if you require any further information at this time.

We look forward to the review and consideration of our submission.

Many thanks
Best regards
Fiona & Brendan Shanley

Brendan & Fiona Shanley
[REDACTED]
Woodbridge TAS 7162

Fiona Shanley m: [REDACTED]
Brendan Shanley m: [REDACTED]

HEARING SUBMISSION

Tasmanian Planning Commission
Kingborough Local Provisions Schedule — LPS-KIN-TPS

Property	Woodbridge TAS 7162
Certificate of Title	PID
Area	Approximately 10 hectares
Owners	Brendan Shanley and Fiona Shanley
Previous zone (KIPS 2015)	Environmental Living Zone (ELZ)
Exhibited zone (Draft LPS)	Landscape Conservation Zone (LCZ)
Ireneinc recommendation	Rural Zone (RZ) — SUPPORTED
Zone sought	Rural Zone (RZ) — Area C where applicable
LPS reference	LPS-KIN-TPS Direction 69 response Letter 2/4
Date	24 April 2026

Executive Summary

Brendan Shanley and Fiona Shanley are the owners of Woodbridge (CT, approximately 10 hectares). This submission is made in response to the Tasmanian Planning Commission's letter of 2 April 2026 notifying the landowners that the independent review conducted by Ireneinc Planning and Urban Design (pursuant to Direction 69) recommends the property be allocated the Rural Zone rather than remain in the exhibited Landscape Conservation Zone.

The landowners fully support the Ireneinc recommendation. The Rural Zone is a significantly more appropriate zone for this property than the Landscape Conservation Zone. This submission provides the Commission with property-specific evidence supporting the Rural Zone recommendation and ensures the Commission has a complete picture before making its final determination.

Position Statement

The landowners support the Ireneinc recommendation that this property be zoned Rural Zone under the draft Kingborough LPS, and ask the Commission to adopt that recommendation and not revert to the exhibited Landscape Conservation Zone.

1. Background and Procedural Context

Kingborough Council is transitioning to the Tasmanian Planning Scheme (TPS) through its Local Provisions Schedule (LPS). The draft LPS was publicly exhibited from 9 October to 9 December 2024. Over 620

representations were received, a majority of which concerned the application of the Landscape Conservation Zone.

Following hearings commencing 27 August 2025, the TPC issued Direction 69 in October 2025, directing the Planning Authority to undertake an independent review of the LCZ application across the municipality. Council engaged Ireneinc Planning and Urban Design, whose report (finalised 6 February 2026 and released 11 March 2026) assessed each locality against a consistent evaluation framework.

The Ireneinc report recommends that this property at Woodbridge be allocated the Rural Zone — moving it out of the exhibited Landscape Conservation Zone. The TPC notified the landowners by letter posted 2 April 2026. This submission is made to support that recommendation and provide property-specific evidence to assist the Commission's determination.

2. Property Description

The subject property at Woodbridge is a predominantly vegetated rural holding of approximately 10 hectares (PID). The property is currently vacant and has not been subject to intensive agricultural use. Its character is a mix of native scrub and partially cleared land, consistent with the broader rural and lifestyle corridor along this section of .

Under the Kingborough Interim Planning Scheme 2015 (KIPS 2015), the property was zoned Environmental Living Zone — a zone that has no direct equivalent under the Tasmanian Planning Scheme and which must be translated into an appropriate receiving zone through the LPS process. The property does not have frontage to the D'Entrecasteaux Channel and is not prominently elevated in the manner of the main LCZ bulk in the Woodbridge locality. It is not subject to formal Scenic Protection Area designation that would distinguish it from surrounding Rural Zone land.

Characteristic	This property	LCZ trigger?
Land character	Predominantly vegetated, partially cleared	No — no threatened communities identified
Current use	Vacant rural holding	No — not subject to active conservation management
Scenic exposure	Not prominently elevated	No — not a high-visibility ridgeline or coastal headland
Scenic Protection Area	Not formally designated (verify on current mapping)	No — no SPA-specific constraint
Previous zone	Environmental Living Zone (KIPS 2015)	Neutral — ELZ requires translation, not automatic LCZ
Surrounding context	Rural and rural lifestyle corridor, Channel Highway	No — consistent with Rural Zone pattern

3. Zone Purpose Comparison

3.1 Why the Rural Zone is Correct

The Rural Zone (TPS section 20.0) provides for land with a rural character where resource-based land uses and rural activities are the primary intent, and where residential use is managed to avoid conflict with those activities.

The zone accommodates the Shanley property's character — a rural holding on a rural corridor — without imposing the landscape protection primacy of the LCZ.

The Zone Guidelines (Guideline No. 1, s.8A LUPAA) establish that the Rural Zone should be applied to land where:

- existing rural land uses are occurring or are intended; and
- the land does not have landscape values of a character requiring LCZ-level protection; and
- the land is not identified as having a primary intent for residential use (which would indicate Rural Living Zone).

All three criteria are met at this property. The Rural Zone is therefore the correct receiving zone for the translation of the Environmental Living Zone interest at this site.

3.2 Why the LCZ is Not Appropriate

The Landscape Conservation Zone (TPS section 22.0) is intended for land where landscape and natural values take clear precedence over residential and rural uses. The Zone Guidelines state the LCZ should not be applied to land where the priority is for residential use (see RLZ) or where the landscape values do not require this level of protection. Critically, the LCZ is not a replacement for the ELZ — it is a more restrictive zone with a specific conservation purpose.

Zone	Rural Zone (RZ) — supported	Landscape Conservation Zone — opposed
Purpose	Rural land use; resource activities; residential by exception	Landscape and natural values protection above all uses
Residential development	Discretionary — manageable	Largely prohibited or highly constrained
Subdivision	Discretionary — possible	Not permitted / heavily restricted
Fit with this property	Correct — matches rural, vacant, partially cleared holding	Wrong — no landscape values requiring this level of control
Ireneinc recommendation	Recommended for this locality cluster	Not recommended for this property

4. Planning Arguments Supporting Rural Zone

Argument 1 — Rural Resource Zone history supports Rural Zone translation

The property was previously zoned Environmental Living Zone under KIPS 2015. The ELZ is a zone that provided for residential use in areas with natural and landscape values — it was not a conservation-first zone. Its translation to LCZ under the draft LPS reflects a significant increase in restriction that is not justified by the landscape values present at this property. The Rural Zone is the appropriate receiving zone because it retains a rural character consistent with the existing use and avoids imposing a conservation-primary outcome on land that does not warrant it.

Argument 2 — No significant landscape values requiring LCZ-level protection

The LCZ is designed for land with significant, identifiable landscape values — elevated bushland backdrops, D'Entrecasteaux Channel viewsheds, threatened native vegetation communities, or important scenic values. This property, as a predominantly vegetated but partially cleared rural holding and no formal Scenic Protection Area

designation, does not present the landscape value profile that justifies LCZ application. Ireneinc's own evaluation framework reached this conclusion for this locality cluster.

Argument 3 — Ireneinc evaluation framework supports Rural Zone

The Ireneinc report applied a consistent locality-based evaluation framework to all ELZ and PPZ land across the municipality. For the Woodbridge locality, Ireneinc recommended Rural Zone for properties with existing rural activities and limited landscape values compared to the LCZ bulk — including properties in the eastern cluster along the [REDACTED] corridor. This property falls within or is consistent with that cluster in terms of character, use and landscape value profile. The Ireneinc recommendation is evidence-based and appropriate.

Ireneinc Key Finding — Woodbridge Locality

For the Woodbridge locality, Ireneinc recommended Rural Zone for the eastern cluster of properties that had existing rural activities and limited landscape values compared to the main LCZ bulk. The justification included fragmentation avoidance and consistency with the surrounding rural zone pattern — both factors that apply to this property.

Argument 4 — Rural Zone is proportionate and consistent with STRLUS

The Southern Tasmania Regional Land Use Strategy supports zone allocations that reflect the actual character and use of land, avoid over-restriction of rural properties, and maintain a coherent zone pattern across corridors. Applying Rural Zone to this property:

- does not expand any residential zone footprint;
- is consistent with the surrounding rural character of the [REDACTED] corridor;
- avoids the disproportionate impact of LCZ restrictions on a property without the landscape values to justify them; and
- aligns with Council's own March 2026 resolution that where two zones could potentially apply, the less restrictive zone is preferred.

Argument 5 — Council's resolution: the less restrictive zone is preferred

In endorsing the Ireneinc report in March 2026, Kingborough Council resolved that where two zones could potentially apply to an area under the Ireneinc framework, Council as Planning Authority prefers the zone with fewer restrictions be applied. As between the LCZ (more restrictive) and the Rural Zone (less restrictive), this resolution directly supports Rural Zone for this property. The Commission should give weight to this resolution as an expression of the Planning Authority's considered preference.

5. Statutory Basis

This submission is made on the following statutory grounds:

Statutory provision	Application to this submission
LUPAA s.34	The LPS must apply zones consistently with the Zone Guidelines and must reflect the actual character and use of land.
Zone Guidelines (s.8A Guideline No. 1)	The Rural Zone is indicated for land with rural character and existing rural activities. The LCZ is indicated only where landscape values require protection-first management.

STRLUS	Supports proportionate zone allocation consistent with existing land use patterns; does not support over-restriction of rural land without clear landscape value justification.
LUPAA s.35F	The Commission must have regard to all representations and submissions. This submission provides property-specific evidence in support of the Ireneinc recommendation.

6. Orders Sought

The Tasmanian Planning Commission is respectfully requested to:

1. Accept and consider this submission in the assessment of LPS-KIN-TPS;
2. Adopt the Ireneinc recommendation and apply the Rural Zone to [REDACTED] Woodbridge (CT [REDACTED] PID [REDACTED]);
3. Afford the landowners the opportunity to be heard at a public hearing if the Commission is minded to depart from the Ireneinc recommendation; and
4. Not revert to the exhibited Landscape Conservation Zone, which is inconsistent with the character, use and landscape value profile of this property.

Submitted by

Brendan Shanley
Fiona Shanley

[REDACTED] Woodbridge TAS 7162
[REDACTED] Woodbridge TAS 7162

Date: 24 April 2026

Signature (on behalf of both parties)

Br [REDACTED] anley

References

- Land Use Planning and Approvals Act 1993 (Tas) — ss.34, 35F, 35KB, 39, 48
- TPS State Planning Provisions (effective 25 December 2024) — s.20.0 Rural Zone; s.22.0 Landscape Conservation Zone
- Guideline No. 1 — Local Provisions Schedule: Zone and Code Application (s.8A LUPAA)
- Kingborough Interim Planning Scheme 2015 — s.ELZ Environmental Living Zone
- Kingborough Draft LPS (LPS-KIN-TPS) — Section 35F Report (July 2025)
- Ireneinc Planning and Urban Design — Review of the LCZ: Methodology and Zone Application (6 February 2026)
- Ireneinc Planning and Urban Design — Locality Baselineing and Alternative Zone Evaluation (10 February 2026)
- TPC Direction 69 — Kingborough LPS, Review of Landscape Conservation Zone
- TPC Letters to Landowners — LCZ Review, posted 2 April 2026

- Kingborough Council Planning Authority Resolution, March 2026 — less restrictive zone preferred
- Southern Tasmania Regional Land Use Strategy (STRLUS)
- Kingborough Council GIS Planning Database — kingborough.maps.arcgis.com