
From: Justine Brooks <justine.brooks@pda.com.au>
Sent: Monday, 4 May 2026 11:56 PM
To: Kingborough LPS
Subject: Submission - J Glover - [REDACTED]
Attachments: Submission KCC LPS Ireneinc Report J Glover JB010526.pdf

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Please find attached a Submission to the KCC LPS - Ireneinc Review Report / Direction 69.

A cover letter forms part of this attachement.

Kind regards

Justine Brooks

1st May 2026

Tasmanian Planning Commission
via email: kingboroughlps@planning.tas.gov.au

Dear Panel Members

**Re: Submission Response to Ireneinc Report (Direction 69 response)
Proposed Landscape Conservation Zone at [REDACTED], Mt Nelson (Stone Hill)**

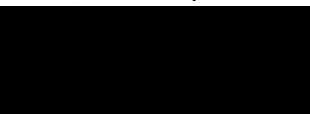
I write on behalf of the landowners, Jan Glover and David Sary, who have been invited to respond to the Ireneinc review report regarding the application of the Landscape Conservation Zone across the Kingborough municipal area.

My client's property contains a newly constructed dwelling, and they have plans to construct an additional ancillary dwelling for use by family members. The land adjoins residential-use titles on all boundaries and sits on the Kingborough/Hobart municipal boundary within an established low-density residential/lifestyle setting. In that context, the LCZ is not the most appropriate base zone.

We request that the Commission do not apply the Landscape Conservation Zone (LCZ) to the site and instead apply the Rural Living Zone (D), for the reasons outlined in this submission.

Please contact me if you would like any further information.

Yours sincerely,



Justine Brooks, RPIA MEnvPlg MBA
Principal Planning Consultant
PDA Surveyors Engineers and Planners
On behalf of Jan Glover and David Sary

Draft Kingborough Local Provisions Schedule

Response to Ireneinc LCZ Review Report (Direction 69 response)

Address: Stone Hill - [REDACTED], Mt Nelson

Executive Summary

This submission responds to the Ireneinc review report prepared for Kingborough Council on the draft Kingborough Local Provisions Schedule (LPS). It relates to the proposed application of the Landscape Conservation Zone (LCZ) to land at [REDACTED], Mt Nelson.

The site contains an existing dwelling (constructed in 2025). It adjoins residential-use titles on all boundaries and sits on the Kingborough/Hobart municipal boundary within an established low-density residential/lifestyle area.

LCZ is not the most appropriate zone because it would make landscape protection the primary planning outcome for a site that contains an established dwelling and forms part of an existing settlement edge.

Immediately north (in the City of Hobart) the adjoining land is zoned Rural Living. While those lots are generally smaller, the on-the-ground character is the same: detached homes in a vegetated setting, low-density lifestyle living, steep terrain and an established residential pattern.

The site is not an intact conservation area. It is a large residential holding within an established residential/lifestyle landscape.

The preferred outcome is the application of the Rural Living Zone (D).

Accordingly, LCZ should not be applied to [REDACTED].

This reflects the usual planning hierarchy: the zone establishes the primary land use purpose, and codes and overlays manage specific constraints and values.

1. Introduction

This submission is made for the owner of [REDACTED], Mt Nelson. It responds to the Ireneinc review of proposed zoning in the draft Kingborough Local Provisions Schedule.

The Ireneinc review area includes the site, which is proposed to be zoned Landscape Conservation. This submission does not support that outcome.

The issue is not whether the site contains vegetation (it does). The issue is whether the site's landscape values should determine the *primary* zoning outcome, or whether those values are more appropriately managed through the scheme's codes and overlays in the context of a Rural Living zoning.

2. What is the Landscape Conservation Zone?

The Landscape Conservation Zone (LCZ) is an environmental zone within the Tasmanian Planning Scheme intended to prioritise the protection, conservation and management of landscape values, while allowing only those uses and development that are compatible with that priority. The Ireneinc review (quoting the relevant zone application guidance) expressly notes that the LCZ is not intended to operate as a like-for-like replacement for the former Environmental Living Zone, and it

is not intended to operate as a large-lot residential zone in areas characterised by native vegetation cover and other landscape values.

What LCZ is (in practical terms):

- A zone applied to land where the dominant planning purpose is the protection of landscape values (including scenic, visual and natural values), and where that purpose should drive the assessment of use and development.
- A zone suited to larger bushland / native vegetation areas, important scenic backdrops, and other landscapes where only small-scale, compatible development is anticipated and where conservation outcomes should be prioritised.
- A zoning tool that can sit alongside other environmental mechanisms (e.g., overlays/codes) but, unlike overlays, sets the primary land use intent for the land as conservation-first.

What LCZ is not:

- It is not a default replacement for former Environmental Living zoned land (even where land is vegetated).
- It is not intended to function as a large-lot residential or rural-lifestyle zone; where the land's primary strategic intention is established residential use in a rural setting, the Rural Living Zone is the more appropriate base zone to test.
- It is not a substitute for using overlays and codes to manage specific constraints; where a site is fundamentally residential in role and setting, the usual planning approach is that the zone reflects the primary land use purpose and overlays/codes manage the values and hazards.

In this submission, the issue is not whether the site contains landscape values (it does); it is whether those values should be elevated to the primary zoning purpose for a 28 ha title that now contains an established dwelling and sits within an existing residential/lifestyle settlement edge. On that basis, LCZ is not the best fit here.

3. Requested Outcome

The landowners respectfully request that the Commission:

1. Reject the proposed application of the Landscape Conservation Zone to [REDACTED].
2. Apply the Rural Living Zone (D)

Rural Living Zone (D) is sought because it reflects the site's established residential use on a large lot in a rural setting and can maintain a low-density outcome through the applicable minimum lot size framework, subject to confirming subdivision potential.

4. The Land and Existing Character

The site at [REDACTED], Mt Nelson (known as *Stone Hill*) is an axe-shaped title of approximately 28 hectares located on the municipal boundary between Kingborough and Hobart. The site contains an existing dwelling (constructed in 2025) as the landowners' primary residence. The title is a private lot within a settled lifestyle-residential area. It has formed access and functions as transition land between larger vegetated holdings in Kingborough and established Rural Living settlement to the north in Hobart.

Importantly, the site is not isolated.

The northern boundary adjoins land in the City of Hobart that is zoned Rural Living. While those lots are smaller they share the same basic character: low-density residential living in a vegetated setting.

That settlement pattern extends across the municipal boundary, and the site should be understood as part of that same interface.

Accordingly, the zoning question is not whether the site is vegetated, but which zone most appropriately reflects its established function and context.

In particular, whether the land should be treated as:

- a conservation area where landscape protection is the main purpose; or
- a large lifestyle-residential lot on an established settlement edge.

On the facts, it is the latter.

5. Existing Planning Context

The site is currently zoned Environmental Living, which is relevant background.

While Environmental Living is not a zone under the Tasmanian Planning Scheme, its past use shows the long-standing planning intent for this site.

That intent was lifestyle living in a landscape setting, rather than conservation as the main land use outcome.

Environmental Living was used for larger, vegetated lots where residential living was expected, but the landscape setting and constraints needed to be respected.

That strategic planning position is important because it confirms the site has not historically been treated as a conservation parcel, but rather as part of a low-density living environment where residential use and landscape values were intended to coexist.

The proposed shift from Environmental Living to Landscape Conservation is not a neutral translation; it is a substantive policy change.

It changes the strategic purpose of the site from one that anticipates living within a landscape to one that prioritises conservation over occupation.

That is a materially different planning outcome, and one that is not supported by the established settlement pattern, the planning history of the site, or the surrounding municipal context.

6. Why Landscape Conservation is Not the Most Appropriate Zone

LCZ is not supported because it changes the site's planning purpose in a way that does not match its planning history or surroundings.

The dwelling constructed in 2025 is a material change from a vacant site assessment. It also aligns with the Ireneinc discussion (and the guidance it cites) that LCZ is not intended to operate as a large-lot residential zone. Where land is functioning as an established residential holding in a rural setting, the Rural Living Zone (D) is more consistent with a residential primary intention, while still managing values through the applicable overlays and codes.

The issue is not whether the site is vegetated (it is). The issue is whether vegetation should set the main planning purpose for the site. In this case, it should not.

The site has not historically been planned for as a conservation holding. It has been planned for as a large lifestyle lot within a landscape setting, capable of accommodating residential use while retaining environmental values.

The proposed application of the Landscape Conservation Zone alters that planning logic by elevating conservation to the dominant purpose of the site, despite:

- the site's existing strategic role as a transition parcel;

- its direct interface with established Rural Living land to the north;
- the access relationship already servicing adjoining residences;
- the established residential pattern in the immediate locality; and
- the reasonable expectation of future dwelling entitlement consistent with that pattern.

This is not an isolated bushland parcel; it is transition land at a settled municipal edge.

The proposed LCZ therefore overstates the conservation function of the site and understates its actual strategic role in the settlement pattern.

7. Why Rural Living is the Most Appropriate Zone

RLZ is the most appropriate zone because it reflects the site's role in a rural-lifestyle interface at the settlement edge.

Residential use occurs in the surrounding area in a vegetated setting on larger lots with limited services and environmental constraints.

The site now contains an established dwelling, which reinforces that its primary role is residential living in a rural/bushland setting rather than conservation as the dominant land use purpose.

The Rural Living Zone is the most appropriate planning response because it recognises:

- the established low-density settlement pattern;
- the surrounding residential settlement pattern and the site's likely future residential use;
- its role as transition land at the municipal edge;
- the established planning logic of Environmental Living; and
- the need to balance residential use in the surrounding area with environmental and landscape values.

That is precisely what Rural Living is intended to support in this location.

8. Bushfire and Interface Management

The proposed Landscape Conservation Zone is also not supported from a site management and risk perspective.

The site directly adjoins established Rural Living properties to the north and includes the bushfire interface between vegetated land and settled residential use.

That interface is where bushfire risk must be actively managed.

In practical terms, this means routine vegetation management and fuel reduction around the interface, to reduce risk to nearby residents and support safe access and emergency response.

This is not simply a private land management issue; it is a settlement interface issue.

Where the site sits directly behind established residential use on adjoining titles, its management has direct implications for the safety and resilience of adjoining homes.

A planning outcome that places conservation as the dominant planning priority for the site risks creating unnecessary tension between landscape retention and hazard management in precisely the location where active management is most important.

The more appropriate approach is to apply a zone that recognises the site as part of a living settlement interface, while relying on overlays and codes to manage vegetation and environmental values in a targeted way.

These issues are also reflected in the Section 8A Guidelines tests set out below.

9. Section 8A Guideline Assessment

The Section 8A Guidelines require that:

1. the zone applied should achieve the zone purpose to the greatest extent possible; and
2. zoning should, as far as practicable, be coordinated with adjoining municipal areas.

Those two tests are decisive here.

9.1 Achieving the Zone Purpose

LCZ is intended for land where protecting identified landscape values is the main planning outcome. That is not the right fit for this site, which now contains an established dwelling, sits within an established residential/lifestyle setting, and forms part of a settled municipal edge.

The LCZ is therefore not the zone that achieves the zone purpose to the greatest extent possible. Rural Living Zone (D) best achieves the zone purpose in this location.

9.2 Cross-Boundary Coordination

The Section 8A Guidelines also require coordinated zoning outcomes across adjoining municipal boundaries.

That is particularly relevant here, where the adjoining Hobart land is zoned Rural Living and exhibits the same essential settlement pattern and physical characteristics.

A materially different zoning outcome on the Kingborough side creates an artificial and unjustified policy discontinuity across a shared settlement edge.

That is inconsistent with the intent of section 34(2)(g) of LUPAA and the Section 8A Guidelines.

10. Response to Ireneinc Report

The Ireneinc report is useful in this instance because it supports several key planning propositions relevant to this site:

- landscape values alone should not determine zoning;
- the established settlement pattern matters;
- RLZ may be appropriate in already settled areas;
- overlays and codes may provide a better control mechanism than restrictive base zoning; and
- where multiple zones could be applied to a site, the least restrictive appropriate zone should be preferred.

Those principles support the application of the Rural Living Zone (D) to this site, not the LCZ.

The Ireneinc report does not support the proposition that all vegetated land should default to LCZ. Nor should it; that would not be sound planning logic.

11. Role of Overlays and Codes

Environmental and scenic values can still be managed without applying LCZ.

That is what overlays and codes are for.

The planning scheme already contains the tools to manage:

- scenic values;
- vegetation;
- biodiversity;
- slope;
- bushfire;
- waterway protection; and
- natural hazards.

Those matters are more appropriately managed through overlays and codes than by applying an unnecessarily restrictive base zone.

This is the usual planning hierarchy.

12. Conclusion

The question for the Commission is whether LCZ is the most appropriate zone for [REDACTED], having regard to the site's planning history, its surroundings and how it functions.

For the reasons set out below, it is not.

The site is not an isolated conservation holding.

It is a large residential holding on a settled edge. In planning terms, it has long been treated as a place where living in a landscape setting is expected alongside protection of environmental values. Historically, the site was in the Environmental Living Zone. That zone is no longer available under the Tasmanian Planning Scheme, but the planning intent behind it remains relevant. It treated the site as part of a living landscape, not a conservation reserve.

Applying LCZ would be a clear shift in intent, moving the site toward a conservation-led outcome despite:

- its direct interface with established Rural Living land in Hobart;
- its role as transition land between settlement and bushland;
- its established access function;
- the reasonable expectation of future residential use; and
- the practical need for ongoing vegetation and interface management in a bushfire-prone setting.

Overall, the site functions as part of an established low-density living interface where residential use in the surrounding area, landscape values and land management need to be balanced.

The most appropriate zone is therefore one that recognises the site's residential setting and anticipated future use as the primary planning purpose, while relying on overlays and codes to manage environmental and landscape values in a more targeted way.

Accordingly, the proposed Landscape Conservation Zone should not be applied to [REDACTED].

The preferred outcome is the application of the Rural Living Zone (D).