
From: Nicholas Smithies [REDACTED] >
Sent: Monday, 4 May 2026 1:19 PM
To: Kingborough LPS
Subject: Submission — Kingborough LPS Direction 69 — [REDACTED]
Attachments: CarolGlass_[REDACTED]_T1_Contest_LCZ_Seek_RLZ).docx

Please find Submission — Kingborough LPS Direction 69 — [REDACTED] - attached.

All the best

Nick Smithies

WRITTEN SUBMISSION TO THE

TASMANIAN PLANNING COMMISSION

*Kingborough Local Provisions Schedule — Direction 69 / Ireneinc Report***Contesting LCZ Retention
Seeking Rural Living Zone**

PART A — PROCEDURAL OPENING

To the Tasmanian Planning Commission,

I write in response to the letter dated 2 April 2026 (ref: DOC/26/36829) advising that the Ireneinc report recommends my property remains within the Landscape Conservation Zone (LCZ) under the draft Kingborough Local Provisions Schedule (LPS).

I did not make a formal representation during the public exhibition period and have not previously had correspondence with the Commission regarding the draft LPS. I understand that this letter has been sent to ensure procedural fairness and provides me with a clear opportunity to formally participate in this stage of the process. I understand that making a submission does not confer a right to be heard, but that the Commission may decide to invite me to discuss the matters raised.

I take up that opportunity and submit as follows.

PART B — PROPERTY DETAILS

Landowner name(s)	Carol Anne Glass
Property address	██████████
Title reference (folio)	██████
Lot size (approx.)	15.79ha
Locality	Firthside
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Landscape Conservation Zone (LCZ)
Zone sought in this submission	Rural Living Zone (RLZ)

PART C — STATEMENT OF POSITION

I submit that the application of the Landscape Conservation Zone (LCZ) to my property is not consistent with the requirements of section 34 of the Land Use Planning and Approvals Act 1993 (LUPAA), the Section 8A

Guideline No. 1 — Local Provisions Schedule: Zone and Code Application (the Zone Guidelines), or the Southern Tasmania Regional Land Use Strategy (STRLUS).

I request that the Commission determine that the Rural Living Zone (RLZ) is the appropriate zone for my property under the draft Kingborough LPS.

The specific subcategory I seek is:

- Rural Living Zone A (minimum lot size 1 ha) — reflecting the existing lot pattern in my locality.
- The predominant lot size in Firthside is approximately less than 1 ha, consistent with Rural Living Zone (RLZ).

PART D — GROUNDS FOR THIS SUBMISSION

D1 — The LCZ does not comply with the Zone Guidelines (Guideline No. 1 / s.34 LUPAA)

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 on the basis of 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.

D1.1 — The Zone Guidelines prohibit LCZ where priority is residential (LCZ 4(a))

Zone Guideline LCZ 4(a) provides that the LCZ should NOT be applied to land where the priority is for residential use and development, instead indicating that the RLZ should be referred to. The Zone Guidelines further note explicitly that 'the LCZ is not a large lot residential zone, in areas characterised by native vegetation cover and other landscape values.'

My property has been used for residential purposes throughout the period it has been zoned Environmental Living Zone (ELZ) under the Kingborough Interim Planning Scheme 2015. During my tenure, the primary use and strategic intention of the land is and has always been residential.

The property contained a dwelling constructed in 1992 that was continuously occupied as a residence until it was destroyed by fire in 20215. The dwelling was served by the mains power grid until 2015. There is no evidence to suggest the primary use is other than residential. The plan is for the future of the property use is for residential purposes with potential for a cleared area of approximately 4 Ha that could be used for one or (sub division allowing) several residences, and the remainder of the property to remain as bushland.

D1.2 — The LCZ is not a replacement zone for the ELZ (Zone Guidelines note)

The Zone Guidelines state expressly: 'The LCZ is not a replacement zone for the ELZ in interim planning schemes. There are key policy differences between the two zones.' The TPC itself noted this in its post-lodgement correspondence with Council, observing that the LCZ 'appears to have been used quite extensively to replace the ELZ' and that 'application of the LCZ could signify a shift in council policy or strategy, which generally ought to be comprehensively justified.'

No such comprehensive, site-specific justification has been provided for my property. The Ireneinc report applies the LCZ to my property on the basis of generalised locality-level landscape values, not on the basis of demonstrated landscape values specific to my title.

The Ireneinc Locality Report for Firthside does not identify any specific landscape values on my title. The landscape value assessment is made at locality level without reference to the characteristics of my individual property.

D1.3 — The RLZ is the appropriate zone under the Zone Guidelines (RLZ 1 and RLZ 2(b))

Zone Guideline RLZ 1(a) provides that the RLZ should be applied to residential areas with larger lots where the existing and intended use is a mix between residential and lower order rural activities, with priority given to the protection of residential amenity. This description accurately characterises my property.

Zone Guideline RLZ 2(b) further provides that the RLZ may be applied to land within the ELZ in an interim planning scheme where the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied. My property satisfies both elements of this criterion.

My property has an area of 15.79 hectares, which is consistent with the Rural Living Zone and capable of accommodating rural-residential use at a range of lot sizes. I seek the application of **Rural Living Zone A**, which provides for a minimum lot size of 1 hectare and is consistent with the established pattern of rural living development in the broader Firthside and Summerleas localities.

While RLZ A enables smaller lot sizes, the **practical development potential of the land is constrained by topography, vegetation, access, and overlay controls**, meaning that any future subdivision would be **limited in extent and responsive to site conditions**, rather than resulting in widespread or intensive development.

The application of RLZ A would therefore align with the intent of the zone to provide for low-density residential use in a rural setting, while maintaining consistency with the surrounding rural living settlement pattern and ensuring that environmental and landscape values are appropriately managed.

D2 — The Ireneinc evaluation framework, applied correctly to my property, supports RLZ

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, I submit that even applying the framework as intended, my property satisfies the criteria for RLZ rather than LCZ.

D2.1 — My property has a strategic residential intention

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. My property clearly satisfies this criterion.

My property contains the remains of an established dwelling constructed in 1992, which was continuously occupied as a residence until it was destroyed by fire in approximately 2015. The dwelling was connected to mains power and supported by associated infrastructure typical of residential use, including access arrangements and cleared areas surrounding the building envelope. Aerial imagery over multiple years confirms a consistent pattern of residential use, including maintained access, cleared areas, and domestic activity. This demonstrates that the property has a clear and established residential character and strategic intention.

This demonstrates that the land forms part of an established rural living pattern rather than an undeveloped conservation landscape.

D2.2 — My property has the characteristics of a rural living settlement

The Ireneinc framework identifies rural living settlement characteristics as: at least 10 smaller blocks generally ranging in size between 1–15 ha with a consistent lot pattern; a consistent pattern of detached dwellings with associated outbuildings; and visual evidence of rural activities (cleared areas, hobby farming, grazing etc.). The Ireneinc report's own locality baseline confirms that the broader settlement in which my property sits displays these characteristics.

My property is situated within the Firthside locality along [REDACTED], which contains a **cluster of rural-residential properties** generally ranging from approximately **1 hectare to over 15 hectares**. The settlement pattern is well established and characterised by **detached dwellings set within bushland or partially**

cleared land, with associated outbuildings and rural-residential activities. Neighbouring properties display clear evidence of **residential use combined with hobby-scale rural activities**, including small-scale grazing, vegetation management, and maintained cleared areas. This pattern is consistent with a recognisable **rural living settlement rather than a conservation landscape**, and reflects long-standing development in the area.

D2.3 — The identified landscape values can be managed outside of LCZ

The Ireneinc evaluation framework requires consideration of whether identified landscape values can be appropriately managed outside of LCZ, specifically through the Natural Assets Code (NAC), the Scenic Protection Code (SPC), or a Specific Area Plan (SAP). The Commission itself accepted this argument in relation to Kettering West at Day 20, where the panel effectively found that the Priority Vegetation Area (PVA) overlay does the landscape-protection work, not the zone [Transcript, Day 20, 02:33:54].

My property is subject to several overlay controls under the draft LPS, including the **Scenic Protection Area**, **Priority Vegetation**, and **Waterway and Coastal Protection Area**, as well as hazard overlays such as bushfire and landslip. These overlays already provide **comprehensive regulation of vegetation clearing, visual impact, and environmental values**, including requirements for vegetation retention, siting of buildings, and protection of waterways.

While portions of the property are vegetated, the land also contains **previously cleared and developed areas associated with historic residential use**. The broader landscape values identified in the Ireneinc locality baseline relate to the wider Firthside and coastal escarpment setting, rather than to specific, unique attributes of this individual title.

The combined effect of these overlays is sufficient to **manage any landscape or environmental values present**, without the need to apply the significantly more restrictive Landscape Conservation Zone.

My plan is to conserve approximately 10 Ha of this property for bushland as this area is unsuitable for any development.

Consistent with the Ireneinc evaluation approach, these values do not preclude Rural Living zoning where they can be effectively managed through overlay controls.

D2.4 — The RLZ subcategory provides for limited or no further subdivision

The Ireneinc framework identifies as a key RLZ suitability indicator that the transition 'would result in limited/no further subdivision' and that 'a similar minimum allowable lot size is being applied.' Applying RLZ [A/B/C/D] to my property achieves this outcome, as the minimum lot size under that subcategory is consistent with the existing lot size and does not create a viable subdivision pathway.

My property has an area of **15.79 hectares**. I seek the application of **Rural Living Zone A**, however I acknowledge that the Ireneinc evaluation framework places strong emphasis on limiting subdivision outcomes in areas with landscape values.

While RLZ A provides for smaller lot sizes, the **practical subdivision potential of the land is highly constrained**, with only approximately **4 hectares being physically suitable for any future development**, due to topography, vegetation, and overlay constraints including the Priority Vegetation and Scenic Protection Area.

The balance of the land would remain **undeveloped bushland**, and any subdivision would be **limited in scale and carefully constrained by overlay controls**, resulting in an outcome consistent with the Ireneinc framework expectation of **limited and controlled subdivision in rural living areas with landscape values**.

D3 — The TPC panel's own statements support RLZ for properties like mine

The following exchanges from the Day 19 and Day 20 TPC hearings directly support the argument that the RLZ is more appropriate than the LCZ for my property. These statements were made by TPC Commissioners and are on the public record.

D3.1 — The evaluation framework is not a statutory instrument

Kate Heckelmann (Ireneinc) conceded at Day 20 [05:53:00] that the evaluation framework is not a statutory instrument — it is a tool, not a rule. The Commission is not bound by its application in any individual case and must assess my property against the statutory criteria in section 34 of LUPAA and the Zone Guidelines.

D3.2 — Risk ratings are judgement calls, not defined thresholds

At Day 20, the low/medium/high risk ratings applied by Ireneinc to LCZ recommendations were described as judgement calls, not defined thresholds. Ireneinc's position was that these ratings are a rule of thumb only [Day 20 guide]. The Commission has not yet determined what weight to give these ratings. Where the risk rating applied to my locality is medium or high, this is not a determinative finding — it is an assessment that can be challenged with site-specific evidence.

The Ireneinc report applies a medium risk rating to the transition of land in the Firthside locality to the Rural Living Zone.

I submit that this rating does not accurately reflect the **established settlement pattern of the locality**, which is characterised by rural-residential development on large lots, including existing dwellings, access arrangements, and areas of cleared land.

The evaluation framework is applied at a **locality scale**, and in this context, the characteristics of the Firthside area are comparable to nearby localities such as Summerleas and the broader Kingston hinterland where Rural Living zoning has been applied.

Importantly, the planning scheme includes **extensive overlay controls**, including the Scenic Protection Area, Priority Vegetation, and Waterway and Coastal Protection Area, which are specifically intended to manage landscape, environmental and visual impacts.

Consistent with the Ireneinc evaluation approach in other localities, these controls are capable of **appropriately managing identified risks**, meaning that application of the Rural Living Zone A would not result in unacceptable outcomes and would remain consistent with the Zone Guidelines and the resulting pattern of zoning.

This is consistent with the application of Rural Living zoning in other medium-risk localities where a rural-residential settlement pattern is already established.

D3.3 — Visible rural activity is not required for RLZ

The TPC panel confirmed at Day 20 that visible rural activity is not a prerequisite for RLZ. This was applied consistently across multiple localities including Howden, Albion Heights, and Kingston West [Day 20 guide]. Properties need not demonstrate active farming or grazing to satisfy the RLZ criteria — residential use in a rural setting is sufficient.

D3.4 — Analogy to accepted RLZ localities

The Ireneinc report recommended full ELZ to RLZ transitions for a number of localities, including Kettering East and Oyster Cove, Howden and Blackmans Bay, Albion Heights, and Tinderbox West. No questions were asked about these recommendations at the hearing, though this does not indicate acceptance by the Commission. The characteristics of those localities — established residential settlement, lots generally between 1 and 15 ha, mixed residential and rural activities, limited evidence of significant landscape values requiring LCZ protection — are shared by my property.

My property in Firthside is directly comparable to properties in **Howden and Blackmans Bay hinterland areas**, where Rural Living Zone has been recommended or applied. These areas share key characteristics including **established residential settlement patterns, lot sizes generally between 1 and 15 hectares, a mix of residential and low-intensity rural uses, and the presence of environmental overlays managing vegetation and landscape values**. There is no principled basis on which to treat my property differently, particularly given its established residential history and similar physical characteristics.

These areas include land zoned Rural Living Zone A, demonstrating that this zone can be appropriately applied in comparable landscape and settlement contexts.

D4 — Consistency and fragmentation arguments

D4.1 — Fragmented LCZ application should be resolved in favour of the surrounding zone

The Ireneinc report itself identifies avoidance of fragmented LCZ application as a key principle. The report notes that areas where only 2–3 LCZ-zoned properties are surrounded by Rural Zone (RZ) or RLZ land should be modified to resolve the fragmentation. Where my property is located within or adjacent to an area predominantly zoned RLZ or RZ, the application of LCZ creates exactly the kind of spot-zoning that the Ireneinc framework seeks to avoid.

My property is located within a broader area that includes **existing rural-residential development and properties proposed for Rural Living or Rural zoning under the draft LPS**. The application of the Landscape Conservation Zone to my property creates an **isolated and fragmented outcome**, where land with an established residential character is treated inconsistently with surrounding properties of similar size, use, and landscape context. This fragmentation is contrary to the principles identified in the Ireneinc framework.

This results in an inconsistent and fragmented zoning outcome, where land exhibiting rural living characteristics is treated differently from comparable nearby properties.

D4.2 — Inconsistency with adjoining or comparable properties

The Zone Guidelines require that the spatial application of zones be, as far as practicable, consistent with and coordinated across the LPS. Where neighbouring properties with substantially similar characteristics have been recommended for RLZ, the application of LCZ to my property is inconsistent and not supported by evidence of any material difference.

Many properties in the surrounding Firthside, Summerleas Road and greater Kingston hinterland area with **similar lot sizes, vegetation cover, and residential history** including land zoned or proposed for Rural Living Zone A, have been recommended for or retain zoning consistent with rural living outcomes. There is no clear or evidence-based distinction between those properties and my own that would justify the application of the more restrictive Landscape Conservation Zone in this instance.

My neighbours at 104 Groningen Road, have told me that that support my application to the Tasmanian Planning Commission to re-classify my land parcel.

D5 — Council's approach has been historically inconsistent

The Ireneinc LCZ Review report documents a significant evolution — and inconsistency — in Council's approach to the application of the LCZ to ELZ land. At the time the draft LPS was first submitted to the TPC in 2020, approximately 85% of ELZ parcels were proposed for LCZ. The TPC noted that this approach was often inconsistent with the Zone Guidelines and that 'often when assessing particular sites the zone proposed does not seem to match these criteria or those of Guideline No.1.' By the time of public exhibition the proportion had been reduced to approximately 75%, with the balance transitioning to RLZ, RZ, and other zones.

This history demonstrates that the initial presumption in favour of LCZ was not well-founded and that the LCZ application has been progressively narrowed as the evidence base has been tested. The Ireneinc report represents a further iteration of this process, but where the evidence specific to my property supports RLZ, the LCZ recommendation should not be allowed to stand.

D6 — Any landscape values present can be managed without LCZ

Where landscape values are present on or near my property, I submit that they can be appropriately managed through the application of the relevant overlay controls, without the need for LCZ. The TPC panel acknowledged on Day 20 [02:33:54] that the PVA overlay and SPC do the landscape-protection work in many cases, removing the justification for LCZ in those areas.

Ireneinc itself acknowledged in the LCZ Review report that a future rural living settlement review may reconsider current RLZ decisions, and that any short-term risk is 'not something that's a definitive or a risk that can't be mitigated with future action' [Transcript, 03:06:18]. This acknowledgement of residual risk mitigation further supports the appropriateness of RLZ rather than LCZ for my property.

My property is subject to multiple overlay controls, including the **Scenic Protection Area, Priority Vegetation, Waterway and Coastal Protection Area, Bushfire-Prone Areas, and Landslip Hazard**.

These controls regulate vegetation clearing, building siting, visual impact, environmental protection, and hazard management. The combined effect of these provisions ensures that any development on the land is **carefully managed and constrained**, addressing the very values that the LCZ seeks to protect. Accordingly, the application of LCZ is unnecessary to achieve these outcomes.

This approach is consistent with the Ireneinc framework, which recognises that overlay controls are the primary mechanism for managing environmental and landscape values.

D7 — Inconsistency in the Ireneinc evaluation framework (Attachment A)

A formal inconsistency analysis has been prepared and is attached to this submission as Attachment A. That analysis compares the landscape value descriptions, settlement characteristics, lot sizes, SPA coverage, PVA/NAC overlay coverage, and risk ratings applied by Ireneinc to this locality against one or more similar localities that received a more favourable zone outcome using the same or near-identical evidence.

The analysis draws on the following key statements from the Day 20 TPC hearing:

- Commissioner Rohan Probert [01:07:48]: Directly identified that landscape descriptions for Tinderbox East and Howden are near-identical yet produced opposite zone outcomes, asking Ireneinc to identify the actual difference between those two. This principle applies to the inconsistency documented in Attachment A for this locality.
- Commissioner Dan Ford [02:33:54]: Forced the concession that the PVA overlay does the landscape-protection work, not the zone. This principle applies where PVA overlay is present on my property.
- Kate Heckelmann (Ireneinc) [05:53:00]: The evaluation framework is a tool, not a statutory instrument. Submissions can depart from it with good evidence.

As documented in Attachment A — Firthside locality section, the comparison with **Summerleas and parts of the greater Kingston hinterland (including Howden and Blackmans Bay hinterland areas)** shows that Ireneinc applied **similar landscape value descriptions, settlement patterns, and lot size characteristics**, yet recommended **Rural Living Zone outcomes in those localities while retaining LCZ in Firthside**.

These localities share key characteristics with my property, including:

- Established **rural-residential settlement pattern**
- Lot sizes generally ranging between **1 and 15 hectares**
- A mix of **residential use and low-intensity rural activity**
- Presence of **vegetation and environmental overlays** managing landscape values

The differentiating factors relied upon in the Ireneinc framework are **not evident at the individual property level for my land**, which contains an established residential history, cleared areas, and development footprint consistent with rural living use.

There is therefore **no clear or principled basis** for treating my property differently from comparable properties in Summerleas and surrounding RLZ areas. This inconsistency demonstrates that the application of LCZ in this instance is not supported by the evidence when applied at the site-specific level.

I request that the Commission have regard to Attachment A in assessing this submission, and in particular to the specific comparison rows identified above, which demonstrate that the Ireneinc recommendation for this locality is inconsistent with the outcome produced by the same evaluation framework applied to comparable localities elsewhere in the municipality.

The Ireneinc report demonstrates that **the presence of landscape values is not, in itself, a determining factor against the application of the Rural Living Zone**, where a rural-residential settlement pattern exists. Across multiple localities, RLZ has been recommended in areas identified as having significant landscape values, on the basis that **overlay controls such as vegetation and scenic protection provisions provide sufficient mechanisms to manage those values**.

PART E — LOCALITY-SPECIFIC CONTEXT

Locality name

Firthside (Kingston hinterland), with direct comparison to Summerleas

Ireneinc recommendation for this locality

The Ireneinc report recommends the application of the Landscape Conservation Zone across much of the Firthside locality, while applying Rural Living Zone outcomes in comparable nearby localities including Summerleas and parts of the Kingston hinterland.

TPC panel comments specific to locality (safe + relevant framing)

At the Day 20 hearing, the Commission emphasised that zoning decisions must be based on the **Zone Guidelines and site-specific evidence**, rather than rigid application of the evaluation framework. The panel also acknowledged that **overlay controls such as Priority Vegetation and Scenic Protection perform the primary role in managing landscape values**, reducing the need to rely on LCZ where a rural-residential pattern is already established.

Landscape values and relevance to property

The Ireneinc report recognises that the Firthside locality contains scenic and vegetated hillside values. However, the report also repeatedly acknowledges in other localities that where **existing settlement characteristics are present**, landscape values may be appropriately managed through **overlay controls and other planning provisions rather than LCZ alone**. My property already contains an established residential footprint, cleared areas and existing access. It is also subject to the **Priority Vegetation, Scenic Protection Area, and Waterway and Coastal Protection Area** overlays. These controls are capable of managing any identified landscape values without requiring the additional restriction of the Landscape Conservation Zone.

The Ireneinc report confirms that **landscape values alone do not preclude the application of Rural Living Zone**, where settlement patterns exist and where overlays provide appropriate management mechanisms

Existing zoning / settlement context

Applying LCZ to my property would create an unnecessarily restrictive and less coherent zoning outcome when viewed in the context of the broader rural living settlement pattern evident in Firthside and nearby Summerleas. The application of Rural Living Zone A would better reflect the existing settlement pattern and avoid an isolated zoning outcome.

PART F — CONCLUSION AND RELIEF SOUGHT

For the reasons set out above, I submit that:

1. The application of the LCZ to my property is inconsistent with the Zone Guidelines (Guideline No. 1) and does not satisfy the requirements of section 34 of LUPAA.
2. The LCZ is prohibited by Zone Guideline LCZ 4(a) where, as here, the priority of the land is residential use.
3. The Rural Living Zone satisfies the criteria in Zone Guidelines RLZ 1(a) and RLZ 2(b) and is the appropriate zone for my property.
4. Any landscape values identified in the locality can be appropriately managed through existing overlay controls without resort to LCZ.

I respectfully request that the Commission:

- Determine that the draft Kingborough LPS should be modified to include my property within the Rural Living Zone [specify subcategory A/B/C/D];
- If the Commission proposes any alternative outcome, that I be provided with an opportunity to respond before any final determination is made.

I request that the folio of the Register [REDACTED] at [REDACTED], **Firthside** be included within the **Rural Living Zone A**, or an alternative Rural Living Zone category that reflects the limited practical subdivision potential of the land.

Signed: Full name: Carol Anne Glass	Date: 04/05/2026 Contact email / phone:
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PART G — ACRONYMS / TERMS USED IN THIS SUBMISSION

Acronym/Term	Meaning
ELZ	Environmental Living Zone
Ireneinc report	Review of the LCZ Kingborough (Review of the Methodology and Zone Application and Locality Baseline and Alternative Zone Evaluation)
LCZ	Landscape Conservation Zone
LPS	Draft Kingborough Local Provisions Schedule
LUPAA	Land Use Planning and Approvals Act 1993
NAC	Natural Assets Code
PVA	Priority Vegetation Area
RLZ	Rural Living Zone
SAP	Specific Area Plan
SPA	Scenic Protection Area
SPC	Scenic Protection Code
STRLUS	Southern Tasmania Regional Land Use Strategy
TPC	Tasmanian Planning Commission
Zone Guidelines	Guideline No. 1 — Local Provisions Schedule: Zone and Code Application

Attachment A

Locality Comparison (Firthside vs Summerleas)

Purpose

This attachment demonstrates that the characteristics of land at **106 Groningen Road, Firthside** are **comparable to localities where the Rural Living Zone (RLZ) has been applied**, and that application of RLZ(A) would be consistent with the Ireneinc evaluation framework and resulting pattern of zoning.

1. Comparison of Locality Characteristics

Criteria	Firthside (Subject Land)	Summerleas / Kingston Hinterland (RLZ Areas)
Settlement pattern	Established rural-residential pattern with detached dwellings on large lots	Established rural-residential pattern with detached dwellings on large lots
Lot sizes	Mix of large lots (generally 1–15+ ha, including 15.79 ha subject land)	Mix of large lots (generally 1–15+ ha)
Existing residential use	Yes — historic dwelling, cleared building envelope, access and services	Yes — widespread established residential use
Vegetation / landscape	Mix of bushland and cleared areas	Mix of bushland and cleared areas
Topographic response	Dwellings sited in response to slope and vegetation	Dwellings sited in response to slope and vegetation
Overlays	Scenic, vegetation, waterway, bushfire and hazard overlays apply	Same overlay framework applies across RLZ areas

2. Ireneinc Evaluation Logic — Application to Subject Land

The Ireneinc report applies a **locality-based evaluation framework**, considering:

- Existing settlement pattern
- Extent and consistency of development
- Landscape values
- Resulting pattern of zoning
- Ability of overlays and planning controls to manage impacts

Application to Firthside (Subject Land)

- The subject land forms part of a **recognisable rural-residential settlement pattern**
- There is **established residential use**, including cleared areas and access
- Lot size and development characteristics are **consistent with RLZ localities**
- The land is not an isolated parcel, but part of a **broader hinterland settlement pattern**

3. Landscape Values and Overlay Controls

The Ireneinc report consistently recognises that:

Land may exhibit landscape values but still be suitable for RLZ where those values can be managed through planning controls.

The subject land is subject to:

- Scenic Protection Area
- Priority Vegetation
- Waterway and Coastal Protection Area
- Bushfire-Prone Areas
- Landslip Hazard

These overlays:

- Regulate vegetation clearing
- Control building siting and visual impact
- Protect environmental and landscape values

Consistent with Ireneinc reasoning, these controls are **sufficient to manage landscape values without requiring LCZ**.

4. Resulting Pattern of Zoning

A key consideration in the Ireneinc report is achieving a **coherent and consistent zoning pattern**, avoiding:

- Fragmentation

- Isolated zoning outcomes

Application of **Landscape Conservation Zone (LCZ)** to the subject land would:

- Create an **isolated and more restrictive zoning outcome** within a rural-residential locality
- Be inconsistent with comparable nearby areas such as Summerleas

Application of **Rural Living Zone A (RLZ A)** would:

- Align with the **existing settlement pattern**
- Be consistent with **nearby RLZ areas**
- Avoid **fragmented or anomalous zoning outcomes**

5. Conclusion

Based on the Ireneinc evaluation framework:

- The subject land exhibits **rural living settlement characteristics**
- Landscape values are **capable of being managed through overlays**
- RLZ(A) would produce a **more coherent and consistent zoning outcome**

Accordingly, application of **Rural Living Zone A** is consistent with the methodology and outcomes applied in comparable localities.