
From: Daniel Simon Moss [REDACTED] >
Sent: Sunday, 3 May 2026 1:52 PM
To: Kingborough LPS
Subject: [REDACTED] submission
Attachments: [REDACTED] opposition to LCZ.docx

Dear Sir or Madam,

I am writing to object to the proposed rezoning of my property at [REDACTED], Fern Tree, from Environmental Living Zone to Landscape Conservation Zone (LCZ).

I understand that this area has landscape value, and I appreciate the broader bushland character of Fern Tree and its connection to the Wellington Ranges. However, I do not believe the LCZ is the right planning outcome for my property when its actual characteristics and level of existing disturbance are considered. Please consider the evidence below:

The property is already modified and not conservation-dominant

While the property retains vegetation, it is not an untouched or pristine landscape. The site has already been subject to disturbances including:

- A ~200 m vehicle access track and additional tracks
- Trenching works
- Excavation sites

These works have altered the condition of the land and demonstrate that it is not functioning as an intact conservation landscape.

There are also no known threatened species or clearly identified high-value conservation features specific to this property.

It sits within an established residential corridor

The property forms part of an existing stretch of [REDACTED] that contains multiple dwellings on both sides.

This part of Fern Tree clearly functions as a **rural-residential area**, where people are already living on and actively managing their land.

The character of the area comes from this relationship, homes within a vegetated setting, rather than from land being left in a purely natural state.

Applying LCZ to this property would treat it as if conservation were the dominant purpose, which does not reflect how the land is actually used.

The planning scheme already protects environmental values

The property is already subject to:

- **E10 Biodiversity Code**
- **E14 Scenic Landscape Code**

These codes already:

- Regulate vegetation removal
- Protect biodiversity
- Manage scenic and visual impacts
- Require discretionary approval where necessary

From the TPC discussions, these overlays are what manage environmental and landscape outcomes, not the underlying zone.

The landscape values for this site are not clearly defined

I accept that the broader area has landscape value, but for this specific property it is unclear:

- What exact value is being protected
- Why that value requires a conservation-first zone
- Why it cannot be managed through existing codes

Given the existing disturbance and residential context, the application of LCZ does not appear to be based on clearly defined, site-specific evidence.

Bushfire risk requires practical, ongoing land management

This property has characteristics that are typical of the area:

- Steep slope (approx. 20°)
- Vegetation
- Access constraints

Managing this safely requires:

- Defendable space
- Hazard tree removal
- Fuel reduction
- Ongoing vegetation management
- Maintaining safe access

These are not one-off actions for this land, they are ongoing responsibilities.

A conservation-focused zone risks creating uncertainty or additional barriers around these works. In a bushfire-prone area, that could discourage necessary risk reduction and create unintended safety issues for both myself and neighbours.

A blanket LCZ approach does not reflect this site

Based on the above, the proposed zoning appears to have been applied broadly rather than based on the specific characteristics of this property.

In this case:

- The land has already been disturbed
- It sits within an established residential pattern
- Environmental values are already managed through existing codes

This suggests that a conservation-dominant zoning approach is not the most appropriate fit.

A more appropriate outcome

A **Rural Living Zone** would better reflect:

- The existing use of the land
- The surrounding residential pattern
- The need for ongoing, practical land management

It would still allow environmental values to be protected through the existing planning framework.

A **Low Density Residential Zone** could also be appropriate, depending on how the area is ultimately structured.

If there are specific parts of the land with identified values, a more targeted approach would make more sense than applying LCZ across the entire property.

Conclusion

For these reasons, I respectfully request that 783 Summerleas Road is not rezoned to Landscape Conservation Zone.

The property is not an intact conservation landscape. It has already been modified, sits within an established residential area, and is already subject to planning controls that manage environmental values.

A Rural Living Zone would provide a more balanced and appropriate outcome.

Personal note

I purchased this property with the intention of building a small home and using the land in a low-impact and responsible way. I value the character of the area and would design any future development to sit carefully within the existing landscape.

At the same time, I believe it is reasonable to be able to use the land for residential purposes, particularly given the surrounding pattern of development and the current zoning.

Kind regards,
Daniel Moss

Draft Kingborough Local Provisions Schedule – Direction 69

Subject: Objection to Proposed Landscape Conservation Zone (LCZ)

Property Address: [REDACTED], Fern Tree

Property ID (PID): [REDACTED]

1. Opening

Dear Sir/Madam,

I write to formally object to the proposed rezoning of my property at [REDACTED], Fern Tree, from Environmental Living Zone to Landscape Conservation Zone (LCZ).

I acknowledge that the Fern Tree / [REDACTED] locality has landscape value and contributes to the broader bushland setting associated with the Wellington Range. That is not in dispute.

The central issue is whether those values require a conservation-dominant zoning outcome over an already established residential area or whether they can be more appropriately managed through a zoning framework that reflects existing use while relying on targeted overlays and codes.

For the reasons set out below, LCZ is not the most appropriate zone for this property. The preferred outcome is the Rural Living Zone (RLZ), or alternatively the Low Density Residential Zone (LDRZ).

2. Property context and existing condition

The subject land at [REDACTED] is not an intact or undisturbed landscape.

The property has already been modified, including:

- A constructed access vehicular track of approximately 200 metres
- Significant trenches (50m+) and associated works
- Previous excavation

These works demonstrate that the land is not functioning as a pristine conservation landscape area.

The property is also located within an established residential corridor, with neighbouring dwellings on both sides of [REDACTED]. There are established residential dwellings on similar-sized lots within less than 100 metres in multiple directions from the property.

This clearly demonstrates that the land forms part of a settled rural-residential pattern, where land is actively occupied and managed.

3. Requested outcome

I respectfully request that:

- The proposed LCZ is not applied to [REDACTED]; and
- The property is zoned:
 - Rural Living Zone (preferred); or
 - Low Density Residential Zone (alternative).

4. Key reasons

4.1 LCZ does not align with the dominant use of the land

Under Section 8A Guideline No.1, zoning must be applied to achieve the zone purpose to the greatest extent possible.

The LCZ is intended for land where landscape conservation is the dominant planning purpose.

In this case:

- The land is already modified
- It is part of an established residential corridor
- Residential occupation is the prevailing and intended use

Accordingly, LCZ does not achieve its intended purpose for this land.

The Section 8A Guidelines are also clear that LCZ should not be applied where the priority is residential use and development.

4.2 RLZ (or LDRZ) better reflects the existing settlement pattern

[REDACTED] is not undeveloped bushland. It is a settled rural-residential locality, characterised by:

- Existing dwellings
- Lifestyle-scale land use
- Ongoing land management

The presence of multiple established dwellings on comparable lot sizes within close proximity reinforces that this area is already functioning as a residential environment.

The RLZ is specifically intended for residential occupation in a rural setting, where natural values are retained but not dominant. That description aligns directly with this property.

The LDRZ is also appropriate where residential use is established and environmental, access or topographic constraints limit density.

Both zones better reflect the actual function of the land than LCZ.

4.3 Environmental values are already managed through existing controls

The property is already subject to:

- E10 Biodiversity Code
- E14 Scenic Landscape Code

In addition, the broader planning framework includes:

- Natural Assets Code
- Bushfire-Prone Areas Code
- Landslip Hazard Code

These provide targeted and effective mechanisms to manage:

- Vegetation clearing
- Scenic values
- Environmental impacts
- Hazard risk

In this context, LCZ operates as a broad control rather than a necessary planning tool.

4.4 Bushfire risk and life-safety considerations

Bushfire risk is a central issue for this property and the surrounding locality.

The land is:

- Steep (approximately 20° slope)
- Vegetated
- Located in a constrained access environment

Safe occupation of this land depends on the ability to carry out ongoing, practical land management, including:

- Fuel reduction
- Vegetation management
- Hazard tree removal

- Maintenance of access and sight lines
- Creation and maintenance of defensible space

These are not optional activities — they are essential for protecting life and property.

This is not an abstract planning issue. It goes directly to whether residents can reduce risk around their homes, evacuate safely, and maintain access for emergency services.

A conservation-led zoning framework risks creating additional cost, delay and uncertainty around these safety-critical activities. In a bushfire-prone environment, this is not a neutral outcome and may increase risk.

4.5 Least restrictive appropriate zoning

Where more than one zone could reasonably apply, planning principles require selection of the least restrictive zone that appropriately manages impacts.

RLZ and LDRZ:

- Reflect existing residential use
- Allow ongoing land management
- Retain environmental protections through existing codes

LCZ, by contrast:

- Elevates conservation above existing use
- Introduces additional regulatory burden
- Does not provide clearly identifiable additional benefit

Accordingly, LCZ is not the least restrictive appropriate zone.

4.6 Consistency across municipal boundaries

There is also a clear issue of consistency.

Land located less than 200 metres from this property, across the municipal boundary, is zoned Rural Living Zone A.

This land:

- Shares similar characteristics
- Exists within the same broader landscape setting
- Functions in a similar rural-residential manner

The Tasmanian Planning Commission is required to consider the need for coordination and consistency across municipal boundaries when applying zones.

Applying LCZ to this property, while comparable land immediately nearby is zoned RLZ, creates an inconsistency in zoning.

4.7 Equity and practical burden

The application of LCZ introduces:

- Increased complexity
- Additional approval requirements
- Higher costs
- Delays for routine works

These impacts are not evenly distributed.

For some landowners, this may be manageable. For others, it may result in necessary safety works being delayed or not undertaken.

In a bushfire-prone locality, this has direct implications for safety and should be carefully considered.

5. Conclusion

For the reasons outlined above, I respectfully request that the proposed Landscape Conservation Zone is not applied to [REDACTED]

The property:

- Is already modified and not an intact conservation landscape
- Forms part of an established rural-residential corridor
- Is surrounded by comparable residential development
- Is located near land zoned Rural Living across a municipal boundary
- Is already subject to planning controls that manage environmental values
- Requires ongoing, practical land management in a bushfire-prone setting

A Rural Living Zone (preferred), or alternatively a Low Density Residential Zone, would provide a more appropriate, consistent and balanced planning outcome.

6. Personal statement

I purchased this property with the intention of building a small home and living in a way that respects the natural environment. I value the character of the area and would ensure any future development is carefully designed to sit within the landscape.

At the same time, I believe it is reasonable to be able to use the land for residential purposes, particularly given the surrounding pattern of development and the current zoning.

Kind regards,
Daniel Moss