

24 September 2026

Our Ref: 17.228

For attention: Ms Linda Graham

The Executive Commissioner
Tasmanian Planning Commission
GPO Box 1691
HOBART TAS 7001

Dear Linda,

KINGBOROUGH DRAFT LOCAL PROVISIONS SCHEDULE – SUBMISSION FOR HEARING, NO 30 AND 31 TO BE HELD ON 29 SEPTEMBER 2026 AND 1 OCTOBER 2026

The Planning Authority notes that the primary purpose of this hearing is to consider representations relating to the Margate and Electra locality, as identified in the Ireneinc Report. It is therefore understood that the hearing will primarily focus on zoning matters.

The Planning Authority has considered the relevant representations and submissions and provides the following advice for the Commission's consideration at this hearing:

- Recommendations regarding the conversion to an appropriate zone under the Tasmanian Planning Scheme for this locality remain as set out in the Ireneinc Report, subject to the split zoning adjustments and Rural Living subcategory clarifications identified below.
- For all other matters that fall outside the scope of the review undertaken by Ireneinc, the Planning Authority's response provided under section 35F should be relied upon.

Split zonings

The Planning Authority notes that additional hearing dates have been scheduled in November to consider split zoning matters and consistent with the Commission's letter of 27 August 2026, will provide further advice prior to the relevant hearing. Input from landowners and representors on the proposed split zoning arrangements is welcomed and will assist in informing the Planning Authority's further advice to the Commission. In the meantime, and to assist the Commission's discussions with representors during Hearing Day 30 and 31, the Planning Authority provides the following preliminary advice relevant to this locality.

Representation [REDACTED] (PID 5773416) - 152 Lawless Road Margate (35 Mudges Road on ListMap)

The Planning Authority supports the split zoning recommendation identified by Ireneinc, with the land to be zoned partly Landscape Conservation Zone and partly Rural Zone. The split zoning boundary is intended to respond to adjoining zoning configurations, the extent of existing land modification, vegetation patterns and the elevational characteristics of Knotts Hill, with the more modified land to the west included in the Rural Zone and the balance of the land to the east to be included in the Landscape Conservation Zone. A minor refinement to the Ireneinc mapping is recommended to better align the split zoning boundary with the 310 m contour line. The boundary is recommended to commence at the south-eastern corner of PID 9178754 and generally follow the 310 m contour line in a southerly direction to approximately X: 518136, Y: 5236852. From this point, the boundary is to continue south along the existing tree line to approximately X: 518076, Y: 5236551, where it adjoins PID 9150294, as illustrated in Figure 1 below.

Figure 1 - Split zoning line proposed for 152 Lawless Road (PID 5773416)



Rep [redacted] and [redacted] - 135 Fehres Road, Margate

The Planning Authority supports the split zoning outcome recommended by Ireneinc and associated mapping, with the property to be included partly within the Landscape Conservation Zone and partly within the Rural Zone. The proposed split zoning arrangement recognises the differing characteristics of the land and provides an appropriate transition between the zoning of adjoining properties. The zoning boundary is to follow the road reservation, providing a clear, logical and readily identifiable delineation between the two zones.

Rural Living Zone subcategory

The Ireneinc recommendations generally provide that, where land transitions from the Environmental Living Zone to the Rural Living Zone, a subcategory that does not facilitate further fragmentation of land should be applied. This approach is consistent with RLZ 2(b) of the section 8A Guidelines. The Planning Authority also notes that RLZ 3 provides a mechanism to apply an alternative subcategory having regard to the existing subdivision pattern and density of development within an area. Having regard to this, and noting previous discussions with the Commission regarding the settlement strategies of the *Southern Tasmania Regional Land Use Strategy*, the Planning Authority confirms the following Rural Living Zone subcategories for properties that were the subject of relevant representations within this locality:

- 38 Hopfields Road, Margate – RLZ A (please refer to discussion in the s35F Report)
- Area at Miandetta Drive, Margate– RLZ B
- 35 McGowans Road, Margate – RLZ B
- 147 Tabors Road, Margate (and surrounding area) – RLZ B
- 15 Tramway Crescent, Margate – RLZ B
- Area at Fehres-, Maddocks- and Jamieson Road, Margate (transitioning from the Environmental Living Zone to the Rural Living Zone) – RLZ D

The Planning Authority acknowledges the representations and submissions seeking alternative Rural Living Zone subcategories to facilitate additional subdivision opportunities. However, as the current process is primarily concerned with the translation of existing planning controls into the Tasmanian Planning Scheme, it considers that broader questions regarding subdivision potential and alternative

subcategory outcomes are more appropriately addressed through future strategic planning work and are generally beyond the scope of this transition process.

Priority Vegetation Mapping

The Planning Authority notes that a number of representations have raised concerns regarding the application and extent of the Priority Vegetation Area overlay. These concerns generally relate to whether the identified vegetation and environmental values warrant the application of the overlay and whether a more targeted approach would be appropriate. The Planning Authority considers that the purpose of the overlay is to identify land that may contain environmental values requiring further assessment at the time of any future use or development, rather than only those areas where Priority Vegetation is currently obvious or readily identifiable. This approach is consistent with the methodology adopted for the preparation of the draft LPS and, unless directed otherwise by the Commission, the Planning Authority will continue to rely on that methodology. Notwithstanding this position, the Planning Authority acknowledges that alternative approaches have been put forward through representations, including the more targeted application of the overlay to specific areas where environmental values have been identified. The Planning Authority remains open to considering such approaches where supported by appropriate evidence; however, the extent and application of the overlay is ultimately a matter for determination by the Tasmanian Planning Commission.

Representations and submissions

While the Planning Authority's preferred position is outlined in this response, it is recognised that there may be differing views regarding the most appropriate application of zones, overlays, spatial boundaries and other provisions of the Tasmanian Planning Scheme within this locality.

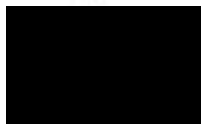
The transition to the new scheme is a complex exercise, particularly in relation to the conversion of the Environmental Living Zone and associated planning controls, the applicable principles and guidelines may reasonably support more than one interpretation or outcome.

It is also acknowledged that zoning and related planning controls can have a significant influence on how land may be used and developed, with potential implications for landowners, surrounding communities and the achievement of broader planning objectives. In this regard, the Planning Authority appreciates the considerable time, effort and local knowledge contributed by landowners, community members and other stakeholders in preparing and lodging representations and submissions. These contributions provide valuable insight into local circumstances and will assist the Commission in its consideration of the matters before it.

The Planning Authority remains available to assist the Commission through the provision of additional information, clarification or assessment, including reconsideration of aspects of the recommended approach where warranted by the evidence and issues explored through the hearing process. The Planning Authority also reminds the Commission of Council's risk appetite, as outlined in its correspondence dated 20 March 2026 accompanying the Ireneinc review report, which highlighted Council's approach to the application of the Landscape Conservation Zone.

If you wish to discuss the above, please contact the Council's Lead Strategic Planner, Adriaan Stander on (03) 6211 8210.

Yours sincerely,



Deleeze Chetcuti
Director – Environment Development and Community