
From: Dara Anastasia [REDACTED] >
Sent: Monday, 4 May 2026 5:45 AM
To: Kingborough LPS
Cc: Jean-Philippe Beaulieu
Subject: RE : SUBMISSION TO TASMANIAN PLANNING COMMISSION
Attachments: Letter to Tasmanian Planning Commission 1 May 2026.pdf

Please see above attached letter
Thank you.
Mr and Mrs Beaulieu
Skyefall Inv. Pty Ltd

SUBMISSION TO THE TASMANIAN PLANNING COMMISSION

Kingborough Draft Local Provisions Schedule (LPS)

30th April 2026

By Email: KingboroughLPS@planning.tas.gov.au

Your ref: DOC/26/36829, officer: Linda Graham

Property: Unit 3, 98 Mount Louis Road, Tinderbox (Title 177144/3)

Dear Mr Heath (Chair) and Members of the Commission,

We write in response to your letter dated 2 April 2026 regarding the proposed zoning of the above property and respectfully oppose the application of the Landscape Conservation Zone (LCZ) to this land on the grounds set out below.

1. Existing development is not consistent with LCZ intent

The subject land already forms part of an established three-lot strata development, constructed in accordance with the planning consents granted by Kingborough Council, each lot containing an approved dwelling. The site is fully developed with three dwellings rather than vacant or minimally disturbed, thus demonstrating that the land has already been developed to an established residential scale.

2. Environmental characteristics are not determinative

While the land is in proximity to the Tinderbox Nature Reserve and contains environmental values, these characteristics existed at the time the original development was approved.

Accordingly, the planning system has already determined that residential-scale development is appropriate on this land. Rezoning to LCZ does not reflect that established planning outcome.

3. No additional planning benefit from LCZ

The proposed rezoning will not reduce the existing development footprint, remove structures, or improve environmental outcomes.

Instead, it will impose additional constraints without delivering a clear planning benefit.

4. Inconsistency with actual use

Within the same development, one lot is already approved and used as a permanent residence, while the remaining lots contain equivalent dwellings.

This demonstrates that residential use is already accepted on the site, and the application of LCZ does not align with this established use pattern.

5. Methodology concerns (Ireneinc Review)

The Ireneinc Review identifies several key principles relevant to this site:

- The Landscape Conservation Zone is not intended to replace the Environmental Living Zone in all cases;
- Zoning must be based on site-specific assessment;
- Landscape values alone should not determine zoning outcomes; and
- There is a recognised risk of inconsistent or piecemeal application of zones.

These principles require that zoning decisions be tested against the actual characteristics and use of each site.

In this case, the land is already developed and functioning at a low density residential scale, which is not consistent with the intended application of LCZ.

6. Primary strategic intention

The relevant test is whether the primary strategic intention of the land is residential use or conservation.

In this case:

- The land contains three approved dwellings;
- Residential occupation is already established; and
- The development pattern is settled and ongoing.

These factors demonstrate that the primary intention of the land is clearly residential.

Consistent with the zone guidelines, LCZ should not be applied where residential use is the priority.

7. Preferred outcome

We respectfully request that the Commission:

- Reconsider the application of the Landscape Conservation Zone to this property; and
- Apply a zoning that reflects the established low-density residential character of the site, such as Environmental Living Zone **or an equivalent zone** under the Tasmanian Planning Scheme.

The key consideration is that the zoning should align with the existing development and use of the land, rather than treat it as undeveloped conservation land.

A rigid application of LCZ in this context risks mischaracterising the planning status of already developed land and does not achieve the intended purpose of the zone.

8. Site context (visual evidence)

An aerial photograph of the site is attached as Figure 1.

It demonstrates the presence of three established dwellings, a defined development footprint, and a low-density residential pattern within an environmental setting.

This confirms the land is already developed and not undeveloped conservation land.



Figure 1 – Aerial view of subject site showing existing development (Lots 1, 2 and 3)

9. Inconsistency with Evaluation Framework

The “Locality Baseline and Alternative Zone Evaluation” report establishes a structured methodology for determining appropriate zoning, including locality-based

assessment, evaluation against suitability criteria, and consideration of alternative zones.

In this case:

- The site forms part of an established residential cluster;
- The land has already been developed and is actively used; and
- The development pattern reflects low-density residential use.

These characteristics do not align with the intended application of the Landscape Conservation Zone.

It is not evident that this framework has been applied at a site-specific level.

In addition, the framework requires consideration of alternative zones for land transitioning from the Environmental Living Zone.

It is not evident that such alternatives have been properly assessed in this case, despite the established residential pattern of the site.

10. Environmental stewardship and site-specific management

We wish to emphasise that, as landowners, we genuinely value and care for the environmental qualities of the site and its positioning next to the Tinderbox Reserve. The south-eastern portion of the property contains an established blue gum forest, which we actively protect, and we support initiatives to enhance local biodiversity. This includes working for example with the University of Tasmania to install temporary nesting boxes to assist native species such as the swift parrot and the forty-spotted pardalote on site.

These environmental values are already well managed under the existing planning framework and code overlays, demonstrating that responsible low-density residential use can coexist with meaningful environmental stewardship.

In this context, the application of the Landscape Conservation Zone is not necessary to achieve these outcomes and would add an additional layer of restriction without clear benefit as the current planning scheme already provides appropriate mechanisms to manage these values without requiring a change in zoning.

11. Closing

In closing, we respectfully submit that the site is already established as a low-density residential cluster, and the proposed LCZ zoning does not reflect this reality or deliver a clear planning benefit.

Our intention is not to seek further development, but to ensure that the planning framework accurately reflects the existing residential use of the land and is applied consistently with the adopted evaluation methodology, while continuing to support the environmental values we actively protect as custodians of the site.

Thank you for your consideration of this submission.

Yours sincerely,

Mr and Mrs Beaulieu



Mr and Mrs Beaulieu
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