
From: Gavin Miller <[REDACTED]>
Sent: Monday, 27 April 2026 3:44 PM
To: Kingborough LPS
Subject: CM: Kingborough draft Local Provisions Schedule – Zoning of Land at Oyster Cove
Attachments: Rezoning_subm_Miller.doc

Thank you for your letter of 2 April 2026, ref DOC/26/36829. We appreciate the opportunity to forward our submission.

Yours sincerely,

Gavin and Suzanne Miller

[REDACTED]
Oyster Cove
TAS 7150

27 April 2026

Tasmanian Planning Commission
GPO Box 1691
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Kingborough draft Local Provisions Schedule – Zoning of Land at Oyster Cove

Thank you for your letter of 2 April 2026, ref DOC/26/36829. I appreciate the opportunity to forward my submission. My title is [REDACTED] at the above address.

1. Position

I support the recommendation in the Ireneinc report that my land be zoned **Rural Living** under the Tasmanian Planning Scheme, rather than the proposed **Landscape Conservation Zone**.

2. Description of the land

- Lot size: approximately 2.0–2.4 hectares
- Tenure: private freehold
- Existing use: established dwelling and associated outbuildings
- The dwelling has been approved and in continuous residential use since approximately 1985

The land is therefore long-established as a residential holding and forms part of an existing pattern of rural-residential development in the Oyster Cove area.

3. Suitability for Rural Living zoning

The characteristics of the land align closely with the purpose of the Rural Living Zone:

- The land is already used for residential purposes
- It is of a size typical of rural lifestyle properties
- It is not used, nor well suited, for primary production
- It forms part of a locality that is clearly established as a dispersed residential environment

At Oyster Cove, the [REDACTED] and [REDACTED] landscape is a mix of open paddocks, partly cleared blocks, light bush plus numerous dams. The Rural Living Zone appropriately recognises and supports this established land use pattern.

In addition, the Rural Living Zone framework allows for consideration of lot size and subdivision standards appropriate to the locality. While outcomes depend on applicable minimum lot size provisions and constraints, the zone provides a structured and transparent basis for assessing such matters, consistent with the characteristics of the land.

4. Inappropriateness of Landscape Conservation zoning

While the landscape values of the area are acknowledged, the application of the Landscape Conservation Zone is not considered appropriate for this land:

- The land is not an undeveloped or pristine landscape; it contains a long-standing dwelling and associated development
- The surrounding locality includes numerous existing dwellings on similar lots, indicating an established residential character
- The Landscape Conservation Zone is primarily intended for areas where protection of largely intact landscape values is the dominant consideration

In this context, applying the Landscape Conservation Zone would not accurately reflect the existing use or character of the land.

5. Bushfire risk and vegetation management

The property is subject to the Bushfire-Prone Areas overlay, which requires the provision and ongoing management of defendable space around the dwelling.

Contemporary bushfire research, including guidance from the **CSIRO**, emphasises the importance of maintaining appropriate separation between buildings and hazardous vegetation, together with active fuel load management to reduce radiant heat and flame exposure. The appendix provides more detail.

This reinforces that the land must be capable of accommodating:

- vegetation clearance in proximity to the dwelling
- ongoing management of fuel loads
- separation distances between structures and vegetation

The Rural Living Zone provides a more appropriate framework for balancing these requirements with established residential use. By contrast, the Landscape Conservation Zone places greater emphasis on vegetation retention, which may create tension with effective bushfire risk management in an already developed residential setting.

6. Consistency with planning principles

Zoning should reasonably reflect:

- the existing use and development of land
- the established settlement pattern

- the realistic capability of land

The Rural Living Zone achieves this by:

- recognising established residential use
- allowing for reasonable ongoing use and development
- operating in conjunction with applicable codes and overlays (including bushfire, vegetation, and hazard management)

These controls provide appropriate environmental and risk management without the need for more restrictive zoning.

7. Conclusion

The Rural Living Zone represents a more accurate and appropriate planning response for this land than the Landscape Conservation Zone.

It reflects the long-standing residential use of the property, the character of the surrounding area, and provides a balanced framework for future management, including bushfire safety requirements.

I therefore respectfully request that the Commission adopt the Ireneinc recommendation and apply the Rural Living Zone to this land.

Yours sincerely,

Gavin and Suzanne Miller

Appendix – Bushfire-resilient landscaping guidance

The following extract from Australian Government guidance (YourHome) illustrates the practical vegetation management measures typically required on bushfire-prone residential land.

Source: **YourHome**

<https://www.yourhome.gov.au/live-adapt/landscaping-garden-design>

Design for bushfire-prone areas

Increased bushfire risk will be a feature of climate change in many areas of Australia. The siting, selection and maintenance of your garden and landscaping can affect how vulnerable your home is to bushfire. Typically, landscaping is not used to determine the bushfire attack level (BAL) rating of a building. Poor choice and placement of plantings and other landscaping features may compromise what is otherwise a good bushfire design and well-constructed building.

Planting

Consider plant selection and ongoing maintenance. This includes selecting or retaining lower flammability plants. Look for plants that have:

- high leaf moisture content
- larger leaves (for example, avoid fine-leaved species such as she oaks)
- denser foliage
- smooth bark
- lower oil content in leaves (for example, avoid olives)
- high mineral or salt content (for example, salt bushes)
- low levels of litter or dead debris

Dead materials from plants can accumulate on roofs, guttering, and windowsills and be ignited by embers. Also, be careful of plants that hold large amounts of dead material within the core of the plant while exhibiting a green outer foliage, such as ornamental cypress pines – such plants can have a higher risk of ignition.

Plants should be easy to trim and maintain. Ensure you raise the ‘skirts’ of trees by trimming lower limbs up to 2m off the ground. This helps to prevent fire from getting into the canopy from the ground.

When planting, ensure you have:

- gaps in vegetation to reduce the progress of fires
- no plants near windows, where burning plants can crack and break glazing
- no trees within 10m of the house

- no shrubs and trees in the area you plan to use as an escape path from the fire, including at doorways
- few shrubs under trees

Landscaping should not encourage the spread of invasive weed species (for example, lantana). All plants can burn, so managing weed species will lower overall fuel loads.

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Summary

This guidance demonstrates that bushfire-resilient residential land use inherently involves managed vegetation clearance and spacing, which must be accommodated within the applicable zoning framework.