Kingborough

29 October 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 DAY, NO 39 TO BE HELD ON 17 NOVEMBER 2026

The Planning Authority notes that the hearing will address a range of matters. Accordingly, the Planning Authority will attend the afternoon session to participate in those matters relevant to its submissions and evidence.

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

- The Planning Authority's recommendations regarding the application of an appropriate zone under the Tasmanian Planning Scheme for the Margate, Gordon and Woodbridge localities remain as set out in the Ireneinc Report.

- In relation to matters falling outside the scope of the review undertaken by Ireneinc, the Planning Authority relies on its submission provided under section 35F, together with the additional comments set out below.

Representation 396, 516 and 532 – [redacted]

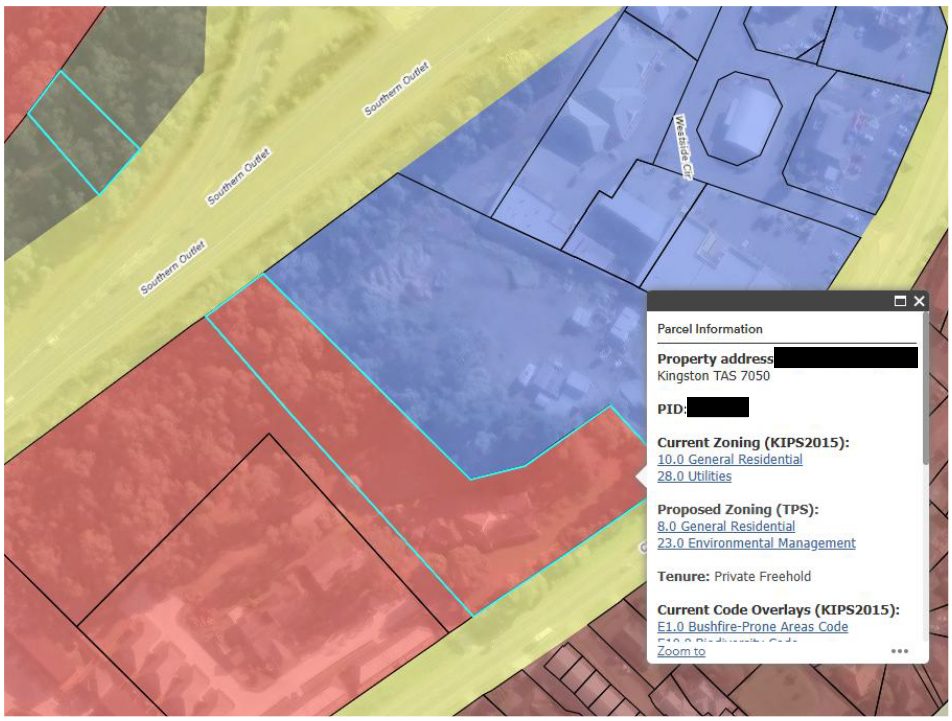
The representor opposes the application of the Environmental Management Zone of the land. The Planning Authority's recommendation remains unchanged and is as set out in its section 35F report (pages 99-100).

For clarity, only the portion of the property north of the Southern Outlet, currently zoned Utilities under KIPS2015, is proposed to be rezoned to the Environmental Management Zone, consistent with the adjoining zoning to the east and west. The portion of the property south of the Southern Outlet is proposed to remain within the General Residential Zone, consistent with the existing zoning under KIPS2015.

The Planning Authority notes that the manner in which the zonings are displayed within Council's online mapping system, where both zonings are referenced in the property's information panel, may have contributed to some confusion regarding the extent of the proposed rezoning. The Planning Authority remains open to considering any additional information or clarification provided during the hearing process, particularly where it may assist in addressing the basis upon which the recommendation was formed.

In relation to concerns regarding the Priority Vegetation Area Overlay, the Planning Authority's comments are set out separately further below.

Figure 1 - [redacted], Kingston



Representation 140 - [redacted], Margate

The representation seeks the application of Rural Living Zone A. The broader zoning pattern in the locality have been the subject of extensive discussion during previous hearings. The Planning Authority in its section 35F report, identified the potential application of Rural Living Zone A as an alternative outcome for parts of the locality. However, subsequent discussions during the hearing process highlighted that, while there may be merit in considering additional opportunities for rural living development in the locality, including any increase in development potential associated with a lower Rural Living subzone, such an outcome would require a more robust strategic justification. This would likely require a comprehensive strategic planning exercise, potentially including the preparation of a structure plan for the area. Such work would need to consider matters including land supply and demand, infrastructure capacity, servicing constraints, settlement objectives, and the broader pattern of development within the locality before any increase in development potential could be appropriately justified.

The Planning Authority also notes that, having regard to the existing zoning under KIPS2015, being Rural Living Zone A with a minimum lot size of 2.5 hectares, Rural Living Zone B, with a minimum lot size of 2 hectares, would likely represent the closest equivalent and most appropriate translational outcome under the Tasmanian Planning Scheme.

The appropriateness of any Rural Living zoning outcome should also be considered in the context of the surrounding area, including the prevailing lot sizes and subdivision pattern. These considerations may ultimately support a different outcome and will depend on the Commission's broader findings in relation to the locality and the preferred zoning outcome for the broader locality.

Representation 593 – Kettering zoning application at [redacted].

The representation seeks a range of alternative zoning outcomes across the various titles comprising the subject land, including a broader application of the Low Density Residential Zone, Rural Living Zone and Landscape Conservation Zone in place of the exhibited Rural Zone. The Planning Authority remains of the view that the exhibited zoning pattern represents the most appropriate translation of the Rural

Resource Zone into the Tasmanian Planning Scheme and provides the most consistent and strategically defensible outcome for the locality.

The Planning Authority considers that any broader application of the Low Density Residential Zone would require supporting strategic work, including consideration of land supply and demand, infrastructure capacity, settlement objectives under the regional land use strategy, and the broader planning implications for the locality. In the absence of such work, there is insufficient justification to support a departure from the exhibited zoning pattern. The Planning Authority therefore considers that any further consideration of the Low Density Residential Zone would be more appropriately undertaken through a process outside the current transition to the Tasmanian Planning Scheme.

The Planning Authority also notes that the Ireneinc report recommends the application of the Rural Living Zone to land west of the subject site in the Groombridges Road area and to land east of the site along the southern coastline of Kettering. Should the Commission support those recommendations, there may be merit in further considering whether the Rural Living Zone could be applied to CT [redacted] CT [redacted] and CT [redacted] as an alternative to the exhibited Rural Zone.

The Planning Authority further notes that the representor appears to accept the application of the Agriculture Zone to the southern portion of CT [redacted] but seeks the Landscape Conservation Zone over the northern portion of that title. If the recommendations of the Ireneinc report are supported, the application of the Landscape Conservation Zone to this area would create an isolated area of that zone that is not readily reflected in the surrounding zoning pattern. On this basis, the Planning Authority is not presently persuaded that the requested zoning outcome represents the most appropriate planning response.

<u>Representation 289 – Kingston Southern Gateway Specific Area Plan</u>

The Planning Authority, in its response to Direction 134, indicated a preference not to proceed with the above-mentioned Specific Area Plan and instead supported the application of a Site-specific Qualification to [redacted]. The Planning Authority's position remains as outlined in its response to Direction 134 and its subsequent response to Direction 144.

<u>Representation 250 – Margate rezoning and Gemalla Road Specific Area Plan</u>

The Planning Authority's preference is for the recently approved General Residential Zone and the Gemalla Road Specific Area Plan under the *Kingborough Interim Planning Scheme 2015* to transition to the Tasmanian Planning Scheme in accordance with the transitional arrangements contained in Schedule 6 of the *Land Use Planning and Approvals Act 1993.*

<u>Representation 550 and 311 – Blackmans Bay Bluff and Bonnet Hill Specific Area Plan</u>

The Planning Authority, in its responses to Directions 76 and 110 dated 4 August 2026, indicated a preference not to proceed with the above-mentioned Specific Area Plan. The Planning Authority's position remains as set out in that response.

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. 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 these localities. The transition to the new scheme is a complex exercise and 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