
From: Sandra Brady [REDACTED]
Sent: Sunday, 3 May 2026 5:10 PM
To: Kingborough LPS
Subject: CT [REDACTED] | [REDACTED] Woodbridge | Zoning review submission
Attachments: Brady_TPC_Submission_[REDACTED]_Woodbridge.pdf

Dear Tasmanian Planning Commission,

Please find attached our written submission in response to the letter dated 2 April 2026 (ref: DOC/26/36829) regarding the proposed transition of [REDACTED], Woodbridge (CT 129925/1) to the Landscape Conservation Zone under the draft Kingborough Local Provisions Schedule.

We previously had a hearing scheduled in 2025 that was postponed, and we look forward to having our hearing rescheduled in due course.

We note that we will be unavailable for the tentatively proposed hearings in late May and early June, as we will be travelling for work and personal commitments until 14 June 2026. We are available to attend a hearing at any time from 15 June 2026 onwards and are happy to be flexible around the Commission's schedule.

Thank you for your consideration of our submission.

Kind regards,

Sandra & Sean Brady

[REDACTED], Woodbridge TAS 7162

[REDACTED]

[REDACTED]

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Representation to the Tasmanian Planning Commission

Kingborough Local Provisions Schedule — Proposed Zone Transition

Property: [REDACTED], Woodbridge TAS 7162

Certificate of Title: CT [REDACTED] /1 **PID:** [REDACTED] **Lot area:** 40.03 ha

Representors: S & S Brady **Email:** [REDACTED] **Phone:** [REDACTED]

Date: 26 April 2026

Subject: Opposition to proposed whole-of-lot transition from Environmental Living Zone to Landscape Conservation Zone — request for consideration of zoning outcome

1. Introduction

This representation is submitted to the Tasmanian Planning Commission (TPC) in response to the letter dated 2 April 2026 (ref: DOC/26/36829) advising that the Ireneinc report recommends our property remains within the Landscape Conservation Zone (LCZ) under the draft Kingborough Local Provisions Schedule (LPS).

We recognise the importance of protecting landscape and conservation values within Kingborough, and we share that objective. The majority of our 40.03 ha property is intact native bushland.

Our submission is not about whether conservation values matter — it is about whether the Landscape Conservation Zone is the most appropriate mechanism for this property. The operative code overlays already protect those values regardless of which zone applies, and the zone guidelines provide an alternative pathway that achieves the same outcomes while recognising that a family home has been established here since 2000.

We present three alternative outcomes in order of preference, each of which we consider more appropriate than whole-of-lot LCZ:

1. **Rural Living Zone D** for the whole property
 2. **Split zoning** — Rural Living Zone D for the residential portion of the lot, LCZ for the bushland majority
 3. **Rural Zone** — if the Commission determines this is more consistent with the treatment of comparable properties in the locality
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2. Property Description

Address: [REDACTED], Woodbridge TAS 7162

CT: [REDACTED] | **PID:** [REDACTED] | **Area:** 40.03 ha (per registered Plan of Title, 30 April 1998, not including reserved roads)

Current zone (KIPS 2015): 14.0 Environmental Living Zone **Proposed zone (draft TPS):** 22.0 Landscape Conservation Zone

Note on lot area: Kingborough Council GIS Mapping Tool records this property at 39.25 ha. However, the registered Plan of Title (CT [REDACTED], registered 30 April 1998) records Lot 1 at **40.03 ha**, not including reserved roads. The legally registered survey area on the title is the correct figure. We draw the TPC's attention to this discrepancy in the base data used in Council's assessment.

Ownership and zone history: S & S Brady purchased this property in 1998 and constructed the dwelling in 2000. At the time of purchase the property was zoned Rural C. It subsequently moved through a further zone change before becoming part of the Environmental Living Zone under the Kingborough Interim Planning Scheme 2015. Neither earlier transition involved direct notification to the owners. The property is now proposed to move again — this time to the Landscape Conservation Zone.

We note this history as context. The property has been managed responsibly since 2000 — the dwelling maintained and the native bushland retained in good condition across the majority of the 40.03 ha.

The ongoing protection of those landscape values does not rest on the intentions of any particular owner. The statutory code overlays — currently E10.0 Biodiversity and E14.0 Scenic Landscapes under KIPS 2015, and C7.0 and C8.0 under the proposed TPS — are embedded in the planning framework and will continue to operate under Rural Living Zone D just as they would under any other zone, providing enduring protection for any future owner.

Character: The property is predominantly intact native bushland. An established single dwelling and associated residential land occupy the residential portion of the lot.

Current code overlays (KIPS 2015): E1.0 Bushfire-Prone Areas, E3.0 Landslide, E10.0 Biodiversity, E11.0 Waterway and Coastal Protection, E14.0 Scenic Landscapes

Proposed code overlays (draft TPS/LPS): C7.0 Waterway and Coastal Protection Area, C7.0 Priority Vegetation, C8.0 Scenic Protection Area, C13.0 Bushfire-Prone Areas, C15.0 Landslip Hazard

Adjoining properties: 289 Llantwit Road and 300 Llantwit Road both directly adjoin this property and are also proposed for LCZ. Please refer to the Annex of this document for more details on adjoining properties.

3. This Is Not a Like-for-Like Zone Transition

3.1 Purpose — From Residential-Primary to Landscape-Primary

The TPC confirmed in its December 2016 Draft State Planning Provisions Report that the LCZ “does not replace the ELZ but is an alternative zone in which landscape and natural values take precedence over residential use.”

The Zone Guidelines are clear on this point:

“The Landscape Conservation Zone is not a replacement zone for the Environmental Living Zone in interim planning schemes. There are key policy differences between the two zones. The Landscape Conservation Zone is not a large lot residential zone, in areas characterised by native vegetation cover and other landscape values. Instead, the Landscape Conservation Zone provides a clear priority for the protection of landscape values and for complementary use or development, with residential use largely being discretionary.”

Under the ELZ, residential use was the primary purpose — natural values were protected alongside it. Under LCZ, that priority reverses — landscape conservation comes first, and residential use becomes conditional. For a household with an established home, that shift has real practical consequences, set out below.

Section 34(c) of LUPAA requires the LPS to give consideration to social and economic effects when decisions are made about land use. Reclassifying an established home from a residential zone to a landscape conservation zone is the kind of effect that warrants consideration in the LPS assessment.

3.2 Rebuilding Our Home Would Become Uncertain

Under the LCZ use table (clause 22.2), a single dwelling is Permitted only if it is within a building area on a sealed plan. Otherwise it is Discretionary — meaning a planning permit would be required, assessed against landscape values.

Our dwelling was constructed in 2000 and is approved under the current planning framework. Our concern is forward-looking: if the house were destroyed — in a bushfire, for example — we could not be certain it could be rebuilt to the same standard under a discretionary process. The height limit under LCZ is 6 metres, compared with 7.5 metres under the ELZ and 8.5 metres under RLZ D. Any rebuild would also need to demonstrate compatibility with landscape values as seen from public roads and viewing points. This creates a level of uncertainty that simply does not exist under RLZ D, where a single dwelling requires no planning permit (clause 11.2).

The uncertainty extends beyond rebuilding. Under the LCZ, all buildings and works must comply with performance criteria assessing landscape impact unless within a designated building area on a sealed plan (clause 22.4.4). Most former ELZ titles have no such designation. This means routine home improvements — extensions, new outbuildings, earthworks, driveways — may each trigger a discretionary planning permit application assessed against landscape values. A discretionary permit application typically costs \$12,000–\$40,000 in professional fees and takes 3–12 months to resolve, with no guaranteed outcome. None of this applies under RLZ D.

Outbuildings are also specifically restricted under LCZ (clause 22.4.1): sheds, garages and workshops are limited to a combined maximum gross floor area of 100 square metres with a wall height no greater than 6.5 metres. Exceeding these limits requires a discretionary permit. On a 40 ha rural property, a 100m² outbuilding limit is a material constraint. The RLZ D has no equivalent specific outbuilding size restriction.

Additionally, grazing and other rural land use activities are discretionary under LCZ (clause 22.2 use table) — requiring a permit that can be refused. Under RLZ D, grazing is No Permit Required (clause 11.2). On a 40 ha rural property, the ability to keep livestock, or run any form of hobby farming without a planning permit is a meaningful practical difference between the two zones.

3.3 The Landscape Is Already Protected — Regardless of Zone

This is a central point of our submission. The C7.0 Natural Assets Code and C8.0 Scenic Protection Code will apply to this property under any TPS zone — RLZ D, Rural Zone or LCZ. The landscape protections these codes provide do not depend on LCZ being the zone. Under RLZ D:

- **C8.0 Scenic Protection Code (clause C8.2.1(a))** applies to Rural Living Zone — scenic values are protected through a combined 500m² development limit, visual impact assessment against skylines, and LPS management objectives
- **C7.0 Priority Vegetation (clause C7.2.1(c)(i))** applies to Rural Living Zone — native vegetation is protected through clearance restrictions and subdivision standards
- **C7.0 Waterway and Coastal Protection (clause C7.2.1(a))** applies regardless of zone

What LCZ adds on top of these protections is not more landscape protection — it is zone-level restrictions on residential use. The dwelling becomes discretionary. The height limit drops. Every development requires a landscape compatibility assessment. The codes are already doing the protective work that LCZ is intended to achieve.

This is supported by the TPC hearing transcript. At [02:34:07], a TPC Commissioner asked Ireneinc directly whether vegetation removal in a Priority Vegetation Area-covered property would require a discretionary application, and Ireneinc confirmed: "Yes, it will definitely need a discretionary application." This exchange confirms that the Priority Vegetation overlay already provides the regulatory mechanism to manage landscape values through a discretionary process — under any zone, including RLZ D. The zone itself is not the source of that protection.

This property has carried equivalent protections throughout the ELZ period — E10.0 Biodiversity and E14.0 Scenic Landscapes — and landscape values have been maintained alongside the dwelling throughout that time. The TPS code framework continues and in some respects strengthens those protections under any zone, including RLZ D.

4. The Zone Guidelines and STRLUS Support Rural Living Zone D

4.1 The Guidelines Contemplate This Transition

Zone Guideline RLZ 2(b) provides that RLZ may be applied to ELZ land where the primary strategic intention is residential use in a rural setting and a minimum lot size of 10 ha or greater is applied. Our property is 40.03 ha. Applying RLZ D at the existing lot scale would prevent any further subdivision. The property has been used residentially since the dwelling was constructed in 2000. RLZ 2(b) was written for transitions like this one.

4.2 The Guidelines Caution Against LCZ Where Residential Use Is the Priority

Zone Guideline LCZ 4(a) states that LCZ “should not be applied to land where the priority is for residential use and development.” This property has had a dwelling since 2000 and has been used for residential purposes throughout. LCZ 4(a) is relevant and weighs against whole-of-lot LCZ here.

4.3 Landscape Values Can Be Managed Through the Codes

Zone Guideline RLZ 4(b) says RLZ should not be applied to land with important landscape values unless those values can be managed through the relevant codes. As set out in section 3.3, the C7.0 and C8.0 codes both apply to Rural Living Zone and actively protect scenic values, priority vegetation and waterways on this property. This test is met.

4.4 The Regional Strategy Supports This Community

The Southern Tasmanian Regional Land Use Strategy (STRLUS) Policy SRD 1.3 supports recognising existing residential communities regardless of their current zone, where subdivision potential is limited. This property and the surrounding Llantwit Road properties form part of an established residential community. RLZ D — which puts residential use first and prevents further subdivision — fits that intent. LCZ, which makes residential use conditional on landscape values, does not.

The LPS is required to be consistent with the STRLUS as far as practicable under section 34(e) of LUPAA.

5. Rural Living Zone D is More Appropriate Than Rural Zone

The Ireneinc assessment found that Woodbridge properties with rural living characteristics were more consistent with surrounding Rural Zone land and directed them to Rural Zone rather than RLZ D. We submit that, for this specific property, RLZ D warrants closer consideration for the following reasons.

5.1 RLZ D Is Designed for Residential Use — Rural Zone Is Not

The Rural Living Zone is designed for residential use in a rural setting, with residential amenity as the priority (clause 11.1.1). Zone Guideline RLZ 1(a) confirms this — RLZ applies to residential areas on larger lots where residential amenity is the priority.

The Rural Zone is designed for rural land use where agriculture is limited or marginal (clause 20.1.1). Residential use occurs in the Rural Zone, but it is not the zone's purpose and residential amenity is not specifically protected.

For a property whose only use is a family home in a rural setting, RLZ D is the more accurate description of what the land is and how it is used.

5.2 Development Standards — RLZ D Is More Appropriate for a Household

Standard	RLZ D	Rural Zone	LCZ
Single dwelling	No Permit Required	No Permit Required	Discretionary (unless sealed plan)
Building height (AS)	8.5 metres	No specified limit	6 metres
Front setback (AS)	20 metres	40 metres	10 metres
Side/rear setbacks (AS)	10 metres	10 metres	20 metres
Visitor accommodation	Permitted	Discretionary	Discretionary
Home-based business	Permitted	Not listed	Not listed

RLZ D provides a higher building height acceptable solution than both LCZ and ELZ, a smaller front setback than Rural Zone, and permits visitor accommodation and home-based business without a planning permit. These are meaningful practical advantages for an established household. Any potential future development would still be assessed against the code protections.

5.3 The Landscape Is Equally Protected Under Either Zone

Both RLZ D and Rural Zone carry the same C7.0 and C8.0 code overlay protections on this property:

- **C8.0 Scenic Protection Code** applies to both Rural Living Zone (clause C8.2.1(a)) and Rural Zone (clause C8.2.1(b))
- **C7.0 Priority Vegetation** applies to both Rural Living Zone (clause C7.2.1(c)(i)) and Rural Zone (clause C7.2.1(c)(ii))
- **C7.0 Waterway and Coastal Protection** applies to both zones regardless

There is no landscape protection advantage in Rural Zone over RLZ D. The codes provide the same protection under either zone. The only meaningful difference is how each zone treats residential use — and on that measure, RLZ D is clearly more appropriate for an established home.

5.4 The Regional Strategy Points to RLZ D

STRLUS SRD 1.3 supports recognising existing residential communities. RLZ D puts residential use first — it aligns with that intent. Rural Zone is better suited to land where rural activities are the primary character. For an established family home, RLZ D is the more appropriate fit with the regional strategy.

6. Responding to the Ireneinc Woodbridge Assessment

The Ireneinc presentation at the TPC hearing identified two reasons for directing Woodbridge properties with rural living characteristics toward Rural Zone rather than RLZ D. We address each in turn.

6.1 Surrounding Zone Context

The transcript records that Woodbridge properties were directed to Rural Zone because they were considered “relatively consistent with some of the rural zone land surrounding.”

The surrounding zone is a relevant factor but does not by itself determine the outcome. Zone Guideline LCZ 4(a) applies at the lot level — where residential use is the priority for a specific property, LCZ should not apply regardless of what surrounds it. Zone Guideline RLZ 1(a) points to RLZ where residential amenity is the priority on larger lots. The character of an established home is not defined by what zone its neighbours carry.

We also note that the Rural Zone context surrounding Woodbridge is partly a result of the ELZ to Rural Zone transitions the Ireneinc report itself recommended — which shows the framework already accepts alternatives to LCZ in this locality. Directing some ELZ properties to Rural Zone while directing this property to LCZ creates an internal inconsistency within the locality assessment.

6.2 The Extent of Rural Living Settlement Characteristics

The recent hearing transcript records that RLZ was not considered appropriate “given the extent of what was determined to be the rural living settlement characteristics.” This reasoning is not elaborated further in the presentation.

We submit that Woodbridge has a more varied settlement pattern than this finding reflects. The locality is not simply a vegetated backdrop with residential uses confined to the eastern fringes along the Channel Highway. It includes a mix of smaller residential lots, rural properties and forested land across the area — a pattern consistent with rural living settlement characteristics in more than just two isolated sections.

The upper [REDACTED] properties specifically — with lot sizes ranging from 1.57 ha to 40.03 ha, all with long-established dwellings — represent a residential cluster whose characteristics are consistent with the RLZ A through D sub-categories. The Ireneinc framework’s own baselining acknowledged rural living settlement characteristics existed in “two sections” of the locality. We submit that the upper Llantwit Road cluster is one of those sections and warrants closer consideration as a group under the RLZ framework.

6.3 The Building Height Risk Argument

The Ireneinc presentation at the broader methodology level identified the higher building height permitted under RLZ D (8.5 metres) as a risk factor for landscape values, compared with LCZ’s 6 metre limit.

We note that C8.0 Scenic Protection Code applies to Rural Living Zone (clause C8.2.1(a)) and specifically addresses building height and visibility from public places. The acceptable solution under C8.0 (clause C8.6.1 A1) requires that buildings and works be on land not less than 50 metres in elevation below a skyline and not exceed 500m² in combined extent. Any development that does not satisfy both conditions requires

assessment against scenic value criteria including visual impact on skylines. This code framework manages the height and visibility risk identified by Ireneinc regardless of whether the zone is RLZ D or LCZ. The risk does not therefore support LCZ over RLZ D as a zone outcome — it is already managed by the operative code.

6.4 The Acknowledged Difficulty of Determining Primary Strategic Intention

The Ireneinc presentation at the broader methodology level acknowledged that “there is no specific parameters prescribed in that guideline or elsewhere that guide how the primary intention or strategic intention is to be determined” and that this “has led to significant complexities.” It was also acknowledged that the tension between RLZ and LCZ in the ELZ transition context “is unable to be definitively reconciled.”

We note this acknowledgement and submit that, where the primary strategic intention is genuinely uncertain, the Commission is invited to have regard to the following factors specific to this property: the land was purchased in 1998 and the dwelling constructed in 2000; the dwelling has been the sole and consistent use of the property through successive zone changes; and the landscape values have been managed alongside that residential use throughout. These factors point to residential use as the primary strategic intention for this property, even if the determination is not straightforward at a locality level.

6.5 Kettering East — A Directly Comparable Locality

The TPC hearing transcript confirms that the Kettering East and Oyster Cove locality — with a similar D'Entrecasteaux Channel coastal and bushland setting to Woodbridge — was recommended for full Rural Living Zone at [02:04:41]. The Ireneinc presenter described Kettering East as having a clear residential settlement pattern with lots generally ranging from two to five hectares, dwellings set within native vegetation, and landscape values present throughout the locality. Despite these characteristics, and with the same coastal bushland setting, the decision at Decision Point 6 was that the mechanisms of the scheme — including the Rural Living Zone and applicable code overlays — could appropriately manage landscape values. Full RLZ was recommended.

The TPC commissioner at [02:35:26] then raised explicitly how this differentiation would be justified when writing up the decision: "I'm wondering more widely how that same approach to looking at the risk of landscape values being lost in a particular area could be applied to other localities that have similar characteristics to the one we've got here." This is precisely the question that this submission asks the Commission to address in relation to Woodbridge. The landscape value language used for Kettering East and Woodbridge in the Ireneinc report is near-identical. The coastal and bushland setting is comparable. The code overlay framework is the same. We respectfully submit that the reasoning applied to Kettering East — that the mechanisms of the scheme can appropriately manage landscape values under RLZ — applies with equal force to this property.

6.6 The Ireneinc Framework Is a Tool, Not a Legal Rule

At the Day 2 TPC hearing, a TPC commissioner confirmed at [05:51:20] that the Ireneinc evaluation framework "is a useful tool" but is "not a statutory instrument."

Chair Nick Heath confirmed at [06:45:13] that irrespective of what the Planning Authority submits, "ultimately it's the Commission's legal responsibility to make the decision on the proposed zoning, based upon the LPS criteria described in section 34 of the Land Use Planning and Approvals Act." He also noted that Council's 16 March 2026 resolution advising the Commission to apply "the least restrictive alternative" where more than one zone is appropriate is a matter the Commission will consider, but that it will first hear all the evidence before forming its own view. **We respectfully request that ‘the least restrictive alternative’ is applied here.**

7. The Woodbridge Settlement Context

7.1 A Graduated Residential and Rural Settlement

The Woodbridge locality is an established residential and rural settlement with a graduated zoning pattern reflecting its mixed character. Properties along the Channel Highway are zoned Village Zone. Moving inland, smaller lots are zoned Rural Living Zone A, B or C depending on size. Larger lots transitioning from Rural Resource Zone are moving to Rural Zone. The upper Llantwit Road ELZ properties — all with long-established dwellings — sit within this broader settlement pattern.

The locality contains a mix of smaller residential lots, rural properties and forested land. This mixed character is itself consistent with the kind of settlement that RLZ is designed to accommodate — larger lots in a rural setting where residential amenity is the priority alongside the retention of natural values. Applying LCZ to the upper Llantwit Road cluster makes those properties the outlier in a locality where the predominant zoning outcome is residential or rural in character.

7.2 The Locality-Wide Recommendation and Individual Lots

A locality-wide LCZ recommendation for Woodbridge does not automatically apply to every lot within the locality. The Zone Guidelines operate at the lot level — Zone Guideline LCZ 4(a) asks whether the priority for a specific lot is residential use. Where it is, LCZ should not apply regardless of the broader locality recommendation.

8. The Emerging Zone Pattern

Since the Ireneinc Locality Baseline and Alternative Zone Evaluation was released, a significant number of properties in the immediate [REDACTED] and [REDACTED] area have been proposed for transition to Rural Zone. These include properties along the lower section of [REDACTED] ([REDACTED]) and properties along [REDACTED], in addition to the transition of Lot 1 Clear Creek Road (PID: 2132453) and the Rural Resource to Rural Zone transitions at [REDACTED].

This pattern is not limited to Woodbridge. The Ireneinc review has also recommended significant Rural Zone transitions for large areas in the neighbouring Kettering locality, including properties in the Saddle Road vicinity. This broader regional picture reinforces that the Ireneinc framework, when applied across the Channel Region, supports alternative zone outcomes for properties whose primary character is residential or rural rather than landscape conservation.

The cumulative effect in the [REDACTED] area is that the remaining proposed LCZ cluster is becoming increasingly surrounded by Rural Zone land. We acknowledge Council will likely argue the cluster maintains coherence through its landscape values and connection to Environmental Management Zone land. We note however that the Ireneinc framework's own LCZ suitability indicators require that LCZ not result in fragmented application, and that the emerging zone pattern is a relevant consideration for the Commission in assessing the coherence of the remaining LCZ cluster. We also note that the landscape values baseline for this locality was produced through desktop assessment, including real estate listing images and aerial mapping, rather than physical inspection of the properties concerned.

The Ireneinc justification for retaining LCZ in the Woodbridge bulk is the continuous ridgeline bushland corridor — described in the hearing as extending from Birchs Bay through Woodbridge to Gordon. However, not every individual lot within the LCZ bulk contributes to this corridor. The corridor argument applies to lots that are elevated, vegetated and part of the ridgeline interface — not to lots that are cleared, developed, or

set back from the ridgeline. The residential portion of 299 Llantwit Road does not contribute to the ridgeline corridor in the way the LCZ justification requires. This site-specific differentiation is consistent with the approach the Ireneinc framework itself applied within localities — for example, in the Kettering East locality where specific parcels not sharing the rural living characteristics were directed to Rural Zone rather than RLZ. The same logic supports a different outcome for the residential portion of this property.

9. Sought Outcome

We respectfully ask the Commission to consider the following outcomes for [REDACTED], Woodbridge (CT [REDACTED] PID: [REDACTED]), presented in order of preference.

9.1 First Preference — Rural Living Zone D

We seek transition of the entire 40.03 ha property to **Rural Living Zone D** (minimum lot size 10 ha, preventing any further subdivision).

This outcome is supported by Zone Guideline RLZ 2(b), which contemplates ELZ to RLZ D transition where the primary strategic intention is residential and a minimum lot size of 10 ha or greater is applied. It is consistent with STRLUS SRD 1.3. It allows the operative C7.0 and C8.0 code overlays to continue managing landscape values without the additional zone-level residential restrictions of LCZ. We accept that this outcome would mean no further subdivision of the property, and we make this concession transparently.

9.2 Second Preference — Split Zoning

If the Commission does not accept the whole-of-lot RLZ D outcome, we seek a split zoning under which:

- The native bushland area — approximately **30 ha** — transitions to **Landscape Conservation Zone**; and
- The residential portion of the lot — approximately **10 ha** — transitions to **Rural Living Zone D** (minimum lot size 10 ha, no further subdivision)

This is consistent with the Ireneinc framework's own split zoning provisions (Table 2) and the multiple split zoning precedents within the Report.

9.3 Third Alternative — Rural Zone

If the Commission determines that Rural Zone is more consistent with the treatment of comparable properties in the locality, we note that Rural Zone would be preferable to LCZ as it does not render our dwelling discretionary. We maintain however that RLZ D is the more appropriate outcome for an established residential property, for the reasons set out in sections 4 and 5.

All three alternatives would:

- Allow the existing dwelling to remain No Permit Required rather than becoming discretionary
 - Allow C7.0 and C8.0 code overlays to protect landscape and scenic values — codes that apply under RLZ D, Rural Zone and LCZ alike
 - Be consistent with STRLUS SRD 1.3
 - Have regard to the social and economic effects of zoning on an established household, consistent with LUPAA section 34(c)
-

10. Conclusion

This property has been our family home since the dwelling was constructed in 2000. Through successive zone changes, the landscape and conservation values have been protected throughout — not because of individual stewardship, but because the statutory code overlays have applied to this land at every stage and will continue to do so under any zone. Those same codes, in their TPS form, will operate under Rural Living Zone D just as they would under LCZ, providing the same protection to any future owner of this property.

Rural Living Zone D is, we submit, the most appropriate zone for this property. The Zone Guidelines contemplate this transition. The STRLUS supports recognising this established residential community. The operative codes manage the landscape values that LCZ seeks to protect. And the zone purpose of RLZ D — residential use in a rural setting where natural values are retained — accurately describes this property and the household that calls it home.

We welcome the opportunity to appear before the Commission at the hearing and to address any questions the Commission may have.

In precise terms, we request that the Commission determine that the draft Kingborough Local Provisions Schedule be modified to include the land in folio of the Register CT [REDACTED] at [REDACTED], Woodbridge within the Rural Living Zone D. If the Commission proposes any alternative outcome, we request the opportunity to respond before any final determination is made.

References:

1. TPC Guideline No. 1 — Local Provisions Schedule: Zone and Code Application (May 2025)
2. Ireneinc Planning & Urban Design, *Locality Baseline and Alternative Zone Evaluation* (February 2026) — Section 3.7 Woodbridge
3. Tasmanian Planning Scheme State Planning Provisions — 22.0 Landscape Conservation Zone (clause 22.2 use table)
4. Tasmanian Planning Scheme State Planning Provisions — 11.0 Rural Living Zone (clause 11.2 use table)
5. Cr A Antolli, *LCZ Review — Analysis of Logical Errors & Grounds to Reduce LCZ Application, Community Discussion Paper* (12 March 2026)
6. Plan of Title CT 129925/1 (registered 30 April 1998) — showing Lot 1 area of 40.03 ha
7. Kingborough Interim Planning Scheme 2015 — 14.0 Environmental Living Zone provisions
8. Ireneinc Planning & Urban Design, *LCZ Review and Findings Report* (February 2026)
9. TPC Hearing Transcript, Day 20 — Kingborough LPS Hearings (2026)

Annex — Upper [REDACTED] Proposed LCZ Cluster: Contextual Information

Overview

The primary submission above addresses [REDACTED] specifically. This Annex is provided as contextual information for the Commission's consideration. It draws attention to a cluster of neighbouring properties in the upper [REDACTED] area that are also proposed to transition from ELZ to LCZ under the draft LPS, all with long-established dwellings.

We are not in a position to represent all properties or their owners. However we have met with three of our neighbouring property owners who have given permission to be referenced, and we provide their details below:

- Owners of [REDACTED] have made a submission and have given permission to be referenced in our document (Esbjorn & Karen Torstensson). Their preferred recommendation is for Rural Living Zone.
- Owner of [REDACTED] has been unable to make a submission on her own, as the whole process has been too overwhelming and confusing, and has given permission for us to reference her property and to advise that she also objects to LCZ and is happy to be contacted for further discussion by members of the Tasmanian Planning Commission (Mrs Jenny Regan). Her recommendation is for Rural Living Zone.
- Owner of [REDACTED] was proposed LCZ and under Irenelnc has been suggested Rural. Owner has provided permission to reference their property in this document, and has found the process too overwhelming and time consuming to form her own submission, and has requested we advise an objection on her behalf with a recommendation her property is zoned Rural Living Zone. (Stacey King).

Additionally, we note that the zone outcome for our property may be considered by the Commission in the context of the surrounding cluster — and we therefore provide this information to assist the Commission in understanding the broader locality context within which [REDACTED] sits.

The Proposed LCZ Cluster Properties

The following properties in the upper [REDACTED] area are also proposed to transition from ELZ to LCZ under the draft LPS. We note that all have long-established dwellings and lot sizes broadly consistent with Rural Living Zone sub-categories.

[illegible]

Properties Transitioning to Rural Zone in the Immediate Locality

For comparison, the following properties on the same road and immediate locality are proposed for Rural Zone rather than LCZ.

[illegible]

A Note on Zone Guideline LCZ 3 and LCZ 4(a)

We draw the Commission’s attention to a tension in the Zone Guidelines that may be relevant when considering the cluster as a whole. Zone Guideline LCZ 3 permits LCZ to be applied to a group of titles with landscape values below the minimum lot size for the zone. Zone Guideline LCZ 4(a) states LCZ should not be applied where the priority is residential use.

For smaller properties in the cluster — such as the 1.57 ha lot at [REDACTED] — the primary purpose of the land is residential. LCZ 3 is a permissive grouping provision that does not override LCZ 4(a). The Commission may wish to satisfy itself that LCZ 4(a) has been considered individually for each property within the cluster, rather than assumed to be resolved by the grouping provision alone.

We also note that the proposed Rural Zone outcome for [REDACTED] — itself formerly part of the cluster — suggests the Ireneinc framework has already recognised that the residential character of smaller lots can be a determining factor. The coherence of the remaining cluster as a landscape conservation area, in light of that transition, may be a matter the Commission wishes to examine.

Zone Categories for Context

The following table sets out, for the Commission’s information, the RLZ sub-categories that would correspond to each property’s lot size if RLZ were considered appropriate. We offer this as contextual information only, not as a formal submission on behalf of these properties.

Property	Lot Size	Corresponding RLZ Category
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Relevant Statutory Considerations

We note two statutory considerations that may be relevant to the Commission’s assessment of the cluster in this broader locality context.

LUPAA section 34(c) requires the LPS to give consideration to social and economic effects when decisions are made about land use. The upper Llantwit Road cluster represents a community of long-established households, and the collective impact of a LCZ transition on that community is the kind of effect that warrants consideration in the assessment.

STRLUS SRD 1.3 supports the consolidation of existing settlements by recognising existing residential communities. The upper [REDACTED] cluster is an existing residential community of long-established dwellings. Section 34(e) of LUPAA requires the LPS to be consistent with the STRLUS as far as practicable. SRD 1.3 is a relevant consideration in assessing whether the proposed LCZ application for this cluster is consistent with that requirement.

Likely Practical Impacts on the Upper Llantwit Road Community

The following impacts are noted for the Commission's consideration as context for the social and economic effects referred to in LUPAA section 34(c). These are not the primary basis of this submission — which rests on the statutory and planning framework — but they illustrate the real-world consequences of LCZ for an established residential community. They are drawn from analysis of the SPP provisions, Zone Guidelines, Ireneinc LCZ Review, and Kingborough Council's section 35F Report.

1. **Property value reduction**

Properties in conservation zones are consistently assessed by buyers, lenders and valuers as more restricted and harder to develop. A discount of 10–30% compared to equivalent residential-zoned properties is a probable outcome for LCZ-affected properties. For the upper Llantwit Road cluster, this may represent a collective loss of significant property value across six established households.

2. **Lending and mortgage impacts**

Lenders assess lending capacity based on how readily a property can be sold. An LCZ classification may result in a requirement for a larger deposit, higher interest rates, or in some cases a refusal to lend against the property. This affects not only current owners but any future purchasers.

3. **Deferred investment and maintenance**

Where routine improvements — a shed, extended driveway, water tank — may require a planning permit with an uncertain outcome, landowners tend to defer investment. Over time this compounds into lower-value, less well-maintained properties across the community.

4. **Insurance difficulties after total loss**

Some insurers have indicated they will pay a cash settlement for a total loss at an LCZ property but will then decline to reinsure at the same location. Where a mortgage lender requires ongoing building insurance as a loan condition, a landowner who receives a payout but cannot obtain new insurance may face mortgage default provisions. This is particularly relevant in a bushfire-prone area.

5. **Future rezoning is difficult and costly**

Once a property is zoned LCZ, any future attempt to change to RLZ requires demonstrating LCZ is no longer appropriate through a formal planning scheme amendment — estimated costing \$20,000–\$60,000 in professional fees and taking 2–5 years. The longer LCZ is in place, the more planning history it generates in its favour.

Thank you for your consideration.

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