
From: Aidan Lewis <[REDACTED]>
Sent: Monday, 4 May 2026 8:54 PM
To: Kingborough LPS
Cc: Emine Lewis
Subject: [REDACTED] - Rezoning Submission A & E Lewis
Attachments: [REDACTED] - Rezoning Submission A & E Lewis.pdf

Good evening,

Please find attached our submission in response to the Tasmanian Planning Commission letter (ref: DOC/26/36829).

Kind regards,
Aidan & Emine Lewis

Aidan Lewis and Emine Lewis

Fern Tree 7054

4 May 2026

The Presiding Member

Tasmanian Planning Commission
Level 3, 144 Macquarie Street
Hobart TAS 7000

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

Attention: Linda Graham (ref: DOC/26/36829)

Matter: Kingborough Draft Local Provisions Schedule – LPS-KIN-TPS

Re: Response to TPC notification of 2 April 2026 – Objection to Ireneinc

recommendation to retain Landscape Conservation Zone at [REDACTED]

Fern Tree (Title [REDACTED] – Request for Rural Living Zone

To the Tasmanian Planning Commission,

We write in response to the Tasmanian Planning Commission's letter of 2 April 2026 (ref: DOC/26/36829), advising us that the Ireneinc report commissioned by Kingborough Council in response to Direction 69 of 10 October 2025 recommends that our property at [REDACTED] [REDACTED] Fern Tree (Title [REDACTED] remain in the Landscape Conservation Zone (LCZ).

We respectfully but firmly object to the proposed rezoning from Environmental Living Zone (ELZ) to the LCZ. The Ireneinc report is not consistent with the State Planning Provisions, is not consistent with actual land use and history or character of the land.

A group of residents in the upper [REDACTED] area have engaged Pitt&Sherry to prepare a group submission to challenge the decision to apply the LCZ to our area. As an individual resident in the area, we are submitting this letter in addition to the Pitt&Sherry submission so that The Commission can appreciate the particulars of our property.

A change to LCZ would not only impact us financially, our safety but also our ability to use the property for what we purchased it; to enjoy the natural bush for horse riding, mountain bike riding and raising our son on a self-sustaining rural property. As custodians of the land, we take great pride in the way we have developed and managed on our rural property and hope to continue to do so well into the future.

While we support the protection of environmental values, the proposed LCZ does not accurately reflect the existing condition, land use history, or ongoing management requirements of our property. Based on our direct experience, we consider the Rural Living Zone to be the most appropriate zoning.

Property Address	██████████ Fern Tree
Landowners names	Aidan Lewis and Emine Lewis
Title reference	Folio: ████████ Property ID ████████
Lot size	22.90 ha
LGA / Locality	Kingborough / Fern Tree
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Landscape Conservation Zone (LCZ)
Zone sought in this submission	Rural Living Zone (RLZ) – Rural Living Zone D

In the following sections we will highlight the details specific to our property and how the LCZ does not align with current or historic usage.

1. Historical rural land use

The upper ██████████ corridor reflects the pastoral subdivision pattern established from the 1840s. By 1852, the lower slopes of kunanyi/Mount Wellington were being actively cleared for timber and livestock to supply Hobart Town. An aerial photo of the area dated 1946 shows extensive clear-felling on our property as well as farming and grazing on adjacent properties (see *Attachment 1*).

2. Continual rural land use

This is not virgin bushland, it has been logged, grazed and farmed for 80+ years. There are extensive fire trails throughout the property that were bulldozed to provide access for emergency services during the 1998 fires. The remaining bushland has been substantially degraded with invasive species of plants including stands of radiata pines, swathes of Spanish heath, foxgloves, and thistles. we understand that there is no threatened flora within 5 kms of the area.

We have lived in this residence for just under 3 years, and purchased it to enjoy the space and outdoors, and raise our son with a focus on outdoor activities in the bush land and expansive gardens. The previous owners built the home in 1992, along with the gardens, pasture, extensive fire trail access, and for years ran a commercial nursery onsite from which some of the infrastructure remains. They also constructed a cottage and studio on the property and in the past ran them as guest and short stay accommodation. Since moving in, we have been learning how to manage the land to keep it safe in the event of fire and how to fight the ongoing battle with invasive weed species that are spreading from council road verges and TasNetworks transmission line easements that pass through a large portion of our land.

There is extensive machine-made water management infrastructure on the land, with hundreds of meters of trenching to direct water runoff to five dams. These dams serve the purpose of irrigation and firefighting water for both mobile appliances and fixed sprinkler infrastructure on the dwellings and in the gardens.

The land is not in a pristine or undisturbed state consistent with typical LCZ intent. It is a working, managed landscape requiring ongoing intervention to maintain its qualities.

3. The State Planning Provisions Do Not Support LCZ Here

Section 8A of the State Planning Provisions (LCZ 4) is explicit: the Landscape Conservation Zone should not be applied to land “where the priority is for residential use and development (see Rural Living Zone).” Our property falls squarely within this exclusion. Our property contains an established dwelling, associated outbuildings including cabin, carport, sheds, hot houses for a garden nursery, substantial established garden, cleared areas, driveways, firetrails, established irrigation infrastructure, including irrigation and fire dams and water management systems, paddocks, grazing animal shelters, chicken coops, fruit trees and kilometers of rural fencing, all of which is consistent with rural living use. These require ongoing maintenance and reflect a modified, functional rural landscape not typical of a LCZ assessment.

4. Analogy to accepted RLZ localities

The Ireneinc report recommended full ELZ to RLZ transitions for a number of localities, including Kettering East and Oyster Cove, Howden and Blackmans Bay, Albion Heights, and Tinderbox West. No questions were asked about these recommendations at the hearing, though this does not indicate acceptance by the Commission. The characteristics of those localities — established residential settlement, lots generally between 1 and 15 ha, mixed residential and rural activities, limited evidence of significant landscape values requiring LCZ protection — are shared by our property.

5. Rural Living settlement Characteristics

The Ireneinc framework identifies rural living settlement characteristics as: at least 10 smaller blocks generally ranging in size between 1–15 ha with a consistent lot pattern; a consistent pattern of detached dwellings with associated outbuildings; and visual evidence of rural activities (cleared areas, hobby farming, grazing etc.). The Ireneinc report's own locality baseline confirms that the broader settlement in which my property sits displays these characteristics. Our property is situated within a cluster of 15 properties along [REDACTED] each with lot sizes ranging from approximately 1 ha to 22 ha. The settlement pattern is consistent and has been established for 40+ years. Neighbouring properties contain detached dwellings with associated rural activities including hobby farming / grazing / orchards / etc.

6. Financial Harm

We have extended ourselves financially to be able to afford our home, carrying a large mortgage, a substantial amount in land tax and a huge amount in insurance each year. We accept the fact we are in a bush fire prone area and acknowledge that insurance premiums are based on such risks but with the restrictions of LCZ hindering our ability to mitigate fire risk, it is very likely our insurance premiums will increase significantly or will no longer agree to cover our property. It is already extremely difficult to find insurance that will cover our area and the premiums for those that do cover the area start at \$4,500p.a and quickly escalate to \$7,000, \$14,000 and \$26,000. Insurers and financiers have already signalled reluctance to service LCZ-zoned properties due to uncertainty around rebuild rights and land management permissions. Routine maintenance – fencing, pasture management, drainage – could require formal planning applications. For a 22.90 hectare rural-residential property, this is administratively disproportionate and economically unviable.

7. Active Land Management: Bushfires

We have been informed that the Tasmanian Fire Service has serious concerns regarding the restraints the LCZ zoning will have for property owners to manage fire safety. Fern Tree sits within a documented and severe Bushfire Prone Area. The catastrophic fires of 7 February 1967 destroyed much of the community. Our property is surrounded by bushland, where active fuel-load reduction, selective vegetation management, track maintenance, and emergency access upkeep are not discretionary activities – they are basic safety obligations.

Under the LCZ, these works become subject to discretionary assessment against “landscape value” criteria and potential offset fees. This is directly contrary to the Tasmanian Bushfire Prone Areas Code and would actively discourage the hazard-reduction activity that keeps this community safe. A planning framework that makes it harder to manage fire risk on private land in Fern Tree is not serving its community. The Rural Living Zone does not create these barriers.

8. Active Land Management: Weeds

We actively manage declared weeds, particularly Spanish heath (*Erica lusitanica*) and Radiata Pine, requiring: mechanical clearing, herbicide application, ongoing monitoring and intervention. This work necessarily involves disturbance and intervention, which is critical to protecting environmental values. We are proactive stewards of this land and require a level of autonomy to be able to get the best outcomes for the land in a timely and cost effective manner. We are concerned that under a LCZ that it will be too much of a barrier for us to continue our proactive work in this regard. For evidence of weed management please see images in Attachment 1.

9. Planning Merit

Applying LCZ does not align with: The degree of existing modification, The need for active management, Bushfire risk mitigation requirements. Environmental outcomes on this property are best achieved through active management, not passive restriction. Section 8A of the State Planning Provisions (LCZ 4) is explicit: the Landscape Conservation Zone should not be applied to land “where the priority is for residential use and development (see Rural Living Zone).” This exclusion is directly applicable to our property as an established rural residential holding.

10. Suitability of Rural Living Zone

The RLZ provides: a framework for low-density residential use, support for active land management, recognition of existing infrastructure, a balance between environmental protection and practical management.

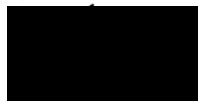
11. Conclusion

We respectfully request that the Commission reject the proposed LCZ and apply the Rural Living Zone to our property Title [REDACTED] which better reflects the reality of the land and supports safe and responsible stewardship. If an alternative outcome is proposed, we request that we be provided with an opportunity to respond before any final determination is made.

Signed:



Aidan Patrick Lewis



Emine Nazmiye Lewis

Attachment 1: Photo Evidence

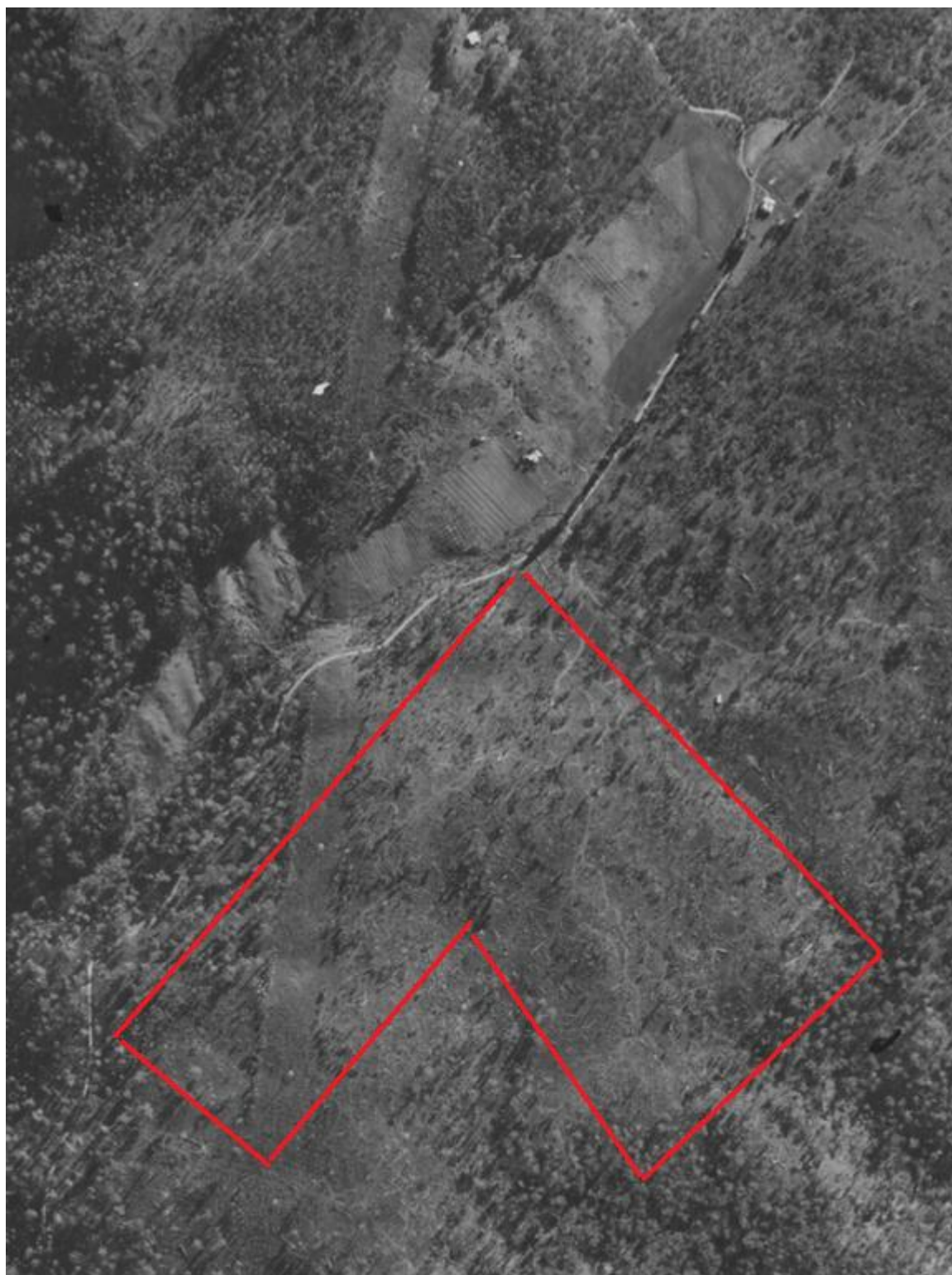


Figure 1: Aerial imagery 15 April 1946. Boundary lines approximately shown with clearfell logging visible with logs on the ground awaiting collection. Note the distinct boundary of the logging on the South Eastern edge where the transition to undisturbed bushland is most obvious. Source: Lands Tasmania.



Figure 2: Image of property from The LIST, showing powerlines and cleared areas around the property.



Figure 3: Extensive gardens on the property.



Figure 4: Gardens and livestock.

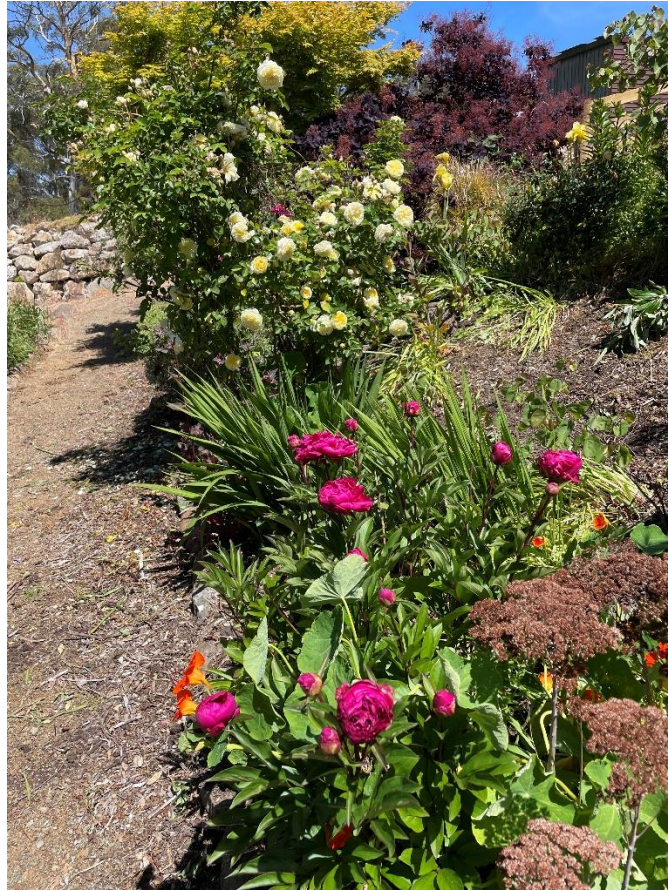


Figure 5: More gardens on the property.



Figure 6: Cottage in the background, carport, garden beds, green houses for plant nursery.



Figure 7: Residential cottage.



Figure 8: Driveways, lawned areas and studio in the background.



Figure 9: Spanish Heath outbreak at Southeastern corner of the property.



Figure 10: Weed management activities controlling spanish heath on Western boundary of the property.



Figure 11: Spanish Heath new growth requiring constant management.



Figure 12: Spanish Heath outbreak Western edge of the property.



Figure 13: Spanish Heath management, central Southern area of the property.



Figure 14: Spanish Heath on the Western edge of the property. An area that is also due for fuel reduction.



Figure 15: Irrigation and fire water dam and pump house.



Figure 16: Pasture and established ornamental gardens.



Figure 17: Pasture areas.



Figure 18: Irrigation bore pump and chicken enclosure.



Figure 19: Former nursery propagation huts.



Figure 20: Old Nursery infrastructure remaining onsite.



Figure 21: Old nursery infrastructure remaining onsite.



Figure 22: Old nursery infrastructure remaining onsite.



Figure 23: Machine-made dam #1 on the property.



Figure 24: Machine-made dam #2 on the property.



Figure 25: Machine-made dam #3 on the property.



Figure 26: Machine-made dam #4 on the property.



Figure 27: Canopy separation area on approach up to dwelling.



Figure 28: Fire trail development on the property.



Figure 29: Water management development to capture water into dams.



Figure 30: Example of trenching into culverts on right hand side, diverting water to dams.



Figure 31: Water capture trench leading to culvert.



Figure 32: Irrigation and fire water dam (dam #5) and water management infrastructure.



Figure 33: TasNetworks high voltage transmission infrastructure that runs through an easement on a significant portion of the property.



Figure 34: High voltage TasNetworks easement on the property.

Attachment 2:

Insurance quotes for our property from the year we purchased it:

Allianz	\$9,185.15
RACT	\$4,670
CGU	\$22,975.25
Hollard	Declined
QBE	\$19,389.51
blue zebra	\$7,756.89
allianz	\$10,086.79
QBE	\$22,209.84
CGU	\$26,102.84