
From: Jorja Jaggard <[REDACTED]>
Sent: Monday, 4 May 2026 10:06 AM
To: Kingborough LPS
Subject: Re: TPC Formal Submission [REDACTED] Oyster Cove CT [REDACTED]
Attachments: TPC Formal Submission [REDACTED] [REDACTED] Oyster Cove PDF 1.pdf

Dear Linda Graham or whom else it may concern,
Please find attached a PDF version of our formal submission to the TPC for [REDACTED] Oyster Cove. CT [REDACTED]
Kind regards
Jorja Jaggard and Toby Burgess-Wilson

On Sun, May 3, 2026 at 3:34 PM Jorja Jaggard <[REDACTED].com> wrote:

Dear Linda Graham or whom else it may concern,
In response to our letter dated 2 April 2026, please find attached our formal submission to the TPC for [REDACTED] Oyster Cove. CT [REDACTED]

Kind regards
Jorja Jaggard and Toby Burgess-Wilson

SUBMISSION TO THE TASMANIAN PLANNING COMMISSION

Kingborough Local Provisions Schedule

Subject Property	██████████ Oyster Cove TAS 7150
Title 1	CT ██████████ — 5.29 ha — Proposed Rural Living Zone (RLZ)
Title 2	CT ██████████ — 2.48 ha — Proposed Landscape Conservation Zone (LCZ)
Previous Zoning	Rural Resource Zone (KIPS 2015)
Representors	Toby Burgess-Wilson & Jorja Jaggard
Date	3 May 2026
Matter	Objection to proposed LCZ application to CT ██████████ request for Rural Living Zone B

To the Tasmanian Planning Commission,

We write 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).

Although we did not make a formal representation during the public exhibition period, please consider this formal submission and we would really appreciate an invitation from the Commission to be heard in a hearing.

We take up that opportunity and submit as follows.

1. Introduction

This submission is made to the Tasmanian Planning Commission (TPC) in relation to the Kingborough Local Provisions Schedule (LPS) and the proposed zoning of the land at ██████████ Oyster Cove (the subject property).

The subject property comprises two contiguous titles under single ownership:

- CT ██████████ (5.29 ha) — proposed for the Rural Living Zone (RLZ); and
- CT ██████████ (2.48 ha) — proposed for the Landscape Conservation Zone (LCZ).

Both titles were previously zoned Rural Resource Zone under the Kingborough Interim Planning Scheme 2015 (KIPS 2015). We strongly object to the proposed application of the LCZ to CT ██████████ and submit that the Rural Living Zone (RLZ) is the more appropriate zone for that title, consistent with the zone application guidelines established by the Section 8A Guideline No. 1 — Local Provisions Schedule Zone and Code Application (the Zone Guidelines) and the strategic context of the locality.

We strongly object to our land being rezoned under the Kingborough Draft LPS and/or IreneInc review to the Landscape Conservation Zone (LCZ). Applying LCZ is inconsistent with section 34 of the Land Use Planning and Approvals Act 1993 (LUPAA), the LPS Section 8A Guideline No. 1, and the Southern Tasmania Regional Land Use Strategy (STRLUS).

Rural Living Zone B (RLZ) minimum lot size 2ha - reflecting the existing pattern in our locality, would be more suitable. We respectfully ask the Commission to apply this zone, in line with the original purchase, zoning allowances, and the site's future residential use.

We purchased our house block, PID 3424124 of 5.29ha in 2008 with the dream of building our forever home. We have worked tirelessly to achieve this and have welcomed our two children into our home and life over this period.

By a chance meeting with one of our neighbours back in 2015 we discovered that his parents owned the land directly to the West of our property. The land was not for sale at the time, but we asked if his parents might be interested in selling, as the only access to the property was a road reserve directly above our house on the Northern boundary of our house block. A short time later, we purchased the land and have now owned and maintained it for the past 11 years. There were several reasons for our purchase:

1. To secure our privacy.
2. To secure land to build a house for our children in the future as land prices in Tasmania are rising much faster than wages and housing affordability may be very difficult for our children's generation.
3. Potential income from the dwelling(s) to pay off construction costs either by way of long term rental or overnight accommodation to hopefully pay off construction costs prior to our children being of age to reside in the house. This also forms part of our retirement/inheritance plans.
4. For domestic farm animal grazing as this is extremely productive agricultural land, often in spring the grass on the river paddock will reach 5ft tall, if left unmaintained.

We had planned to build on the vacant land in 2021, however, Covid drove construction prices so high we have put these plans on the back burner for now. We have purchased a right of way and electrical easement to this property from our neighbours Graeme Denny and Kate Keiffer, however, this is not formally lodged with the LTO. See survey plan attached (Appendix 2). We have also designed a house to suit the property and spoken multiple times with local builders, draftsmen and engineers about the build.

2. Description of the Subject Land

2.1 Physical Character

The subject property is located off [REDACTED] Oyster Cove, within the Nicholls Rivulet locality. The combined land holding is approximately 7.77 ha and is oriented broadly east-west along a gentle rural valley setting.

CT [REDACTED] (2.48 ha) — the parcel proposed for the LCZ — has the following physical characteristics:

- Approximately half of the parcel is cleared or semi-cleared, with evidence of historical agricultural use including remnant fruit farm infrastructure predating the 1967 bushfires, and more recently used as cattle grazing land.
- The balance of the parcel contains mixed native vegetation typical of the broader Nicholls Rivulet valley landscape.
- The parcel contains formed access tracks and cleared areas suitable for future residential development.

- The parcel shares a common boundary with CT [REDACTED] (the RLZ parcel) along its eastern edge.







2.2 Land Use History and Intended Use

The subject property has a longstanding history of productive rural use predating European settlement patterns in the district. Prior to the 1967 fires, the land operated as a fruit farm — a land use consistent with the productive rural character of the Nicholls Rivulet valley. In more recent years the cleared areas of CT [REDACTED] have been used for cattle grazing.

We purchased this land with the clear and genuine intention of establishing a dwelling on it. This intention is directly evidenced by:

- The purchase of a right of carriageway providing legal access from [REDACTED] traversing the adjoining road reserve and through CT [REDACTED] CT [REDACTED], CT [REDACTED] and [REDACTED] to serve CT [REDACTED] as the intended building site. This access has been surveyed and prepared for lodgement with the Land Titles Office. This also includes an electrical easement from a pole and transformer located on CT [REDACTED]
- The preparation of access tracks and cleared building areas on CT [REDACTED]
- The absence of any subdivision or commercial development intent — we seek only to establish a rural dwelling on our land.

This residential intention is a primary and demonstrable purpose of the land holding and is directly relevant to the zone allocation question before the Commission.



2.3 Surrounding Land Use and Zoning Context

The locality context is highly material to this submission. As demonstrated by the draft LPS zone mapping, the properties along Nicholls Rivulet Road are predominantly proposed for the Rural Living Zone. The subject property at [REDACTED] sits within, and is consistent with, this established rural living settlement pattern. See Figure 1 below.

Proposed LCZ review undertaken by Irene Inc ⓘ

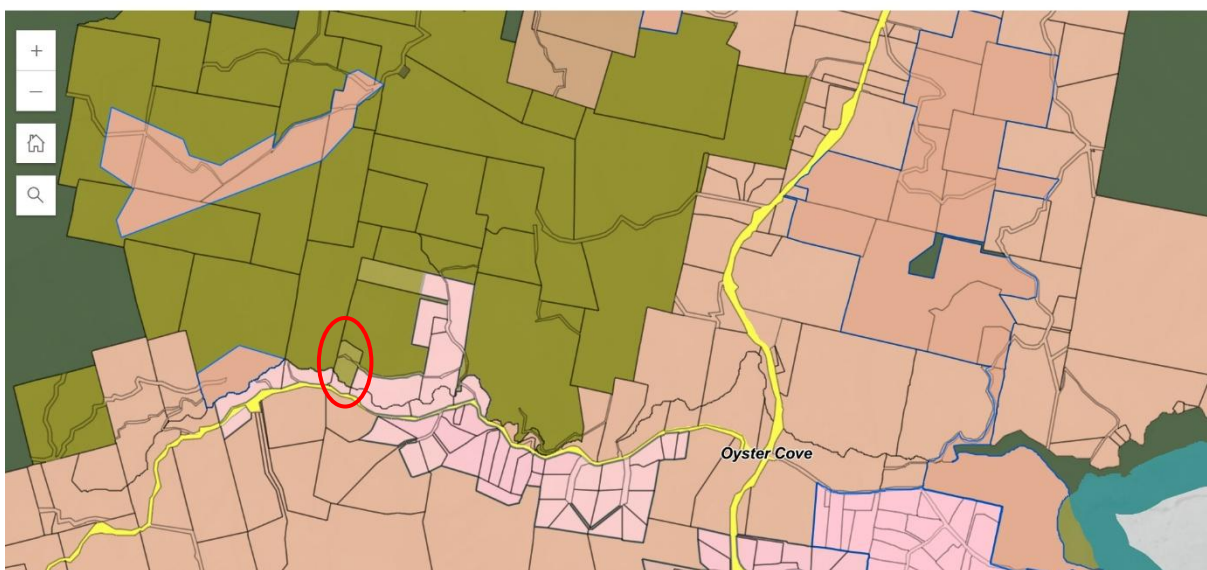


Figure 1.

The proposed LCZ application to CT [REDACTED] creates an anomalous, isolated LCZ parcel that is:

- Directly adjacent to a parcel proposed for RLZ (CT [REDACTED] — the other title of the same property);
- Surrounded in the broader locality by properties proposed for RLZ; and
- Inconsistent with the settlement character of [REDACTED] as identified through Council's own LPS mapping process.

We have noticed that nearly all properties along the Nicholls Rivulet are zoned Rural Living. This would reflect the settlement pattern of the local area. All lots along Nichols Rivulet of similar lot size to our property are Rural Living. Only 2 lots adjacent to Nicholls Rivulet are being zoned LCZ, both of which are much larger. [REDACTED] is 47.87ha and [REDACTED] is 23.59ha. The other 30+ lots are all Rural Living or Rural, (see Figure 1 above). This will not allow us to subdivide and we have no intention of this. We just want to build our children a home next door on land we have already purchased for this reason.

3. Grounds of Objection to the Proposed LCZ Application

3.1 The LCZ Purpose Is Not Satisfied

The purpose of the Landscape Conservation Zone under the Tasmanian Planning Scheme State Planning Provisions (SPPs) is:

22.1.1 To provide for the protection, conservation and management of landscape values.

22.1.2 To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.

Critically, Zone Guideline LCZ 4 expressly provides that the LCZ should not be applied to:

(a) land where the priority is for residential use and development (see RLZ).

The subject parcel CT [REDACTED] is land where the priority is plainly for residential use and development. It was purchased for this purpose, has been prepared for this purpose through surveyed access arrangements, and sits as an integral part of a combined rural residential holding with its adjoining RLZ title. The application of the LCZ to this parcel is directly contrary to the LCZ 4(a) guideline.

Furthermore, the Zone Guidelines note that:

The LCZ is not a large lot residential zone, in areas characterised by native vegetation cover and other landscape values. Instead, the LCZ provides a clear priority for the protection of landscape values and for complementary use or development, with residential use largely being discretionary.

CT [REDACTED] is approximately half cleared. It does not exhibit the character of a predominantly vegetated large natural area, nor a bushland corridor, nor an area of regionally significant native vegetation that would warrant a zone whose primary function is landscape protection rather than residential facilitation.



3.2 The LCZ Makes a Single Dwelling Discretionary — Defeating the Representer's Lawful Purpose

A critical consequence of the proposed LCZ application concerns the planning pathway for a single dwelling on CT [REDACTED]. Under the LCZ, a single dwelling is Discretionary unless located within a building area on a sealed plan, which does not exist on CT [REDACTED]. The LCZ thus perpetuates the most onerous planning pathway for our intended residential use, when the correct zone — the RLZ — would appropriately elevate that use to No Permit Required status.

Under the Rural Living Zone, a single dwelling is a No Permit Required use. This is the correct and proportionate planning outcome for land where the primary strategic intention is residential. The question for the Commission is whether the LCZ is the right zone going forward for land of this character, in this locality, with our clearly demonstrated residential purpose. On that question, the RLZ is plainly superior.

The Ireneinc LCZ Review and Findings Report (February 2026) acknowledged this issue directly in the broader LPS context, noting that a key difference between the LCZ and the Environmental Living Zone (ELZ) that it replaces for many properties is that under the LCZ, a single dwelling is discretionary unless it is located within a building area on a sealed plan, which is not common across the affected properties. While the subject land was previously zoned Rural Resource Zone rather than ELZ, the same consequence applies: there is no sealed plan building area on CT [REDACTED] and a single dwelling would therefore be discretionary under the LCZ.

We have no sealed plan building area on CT [REDACTED]. The proposed LCZ therefore locks the us into a discretionary assessment pathway for a single rural dwelling — a land use we have a clear, established and legitimate intention to pursue, and one which is entirely consistent with the rural living character of the locality. There is no planning justification for maintaining

that barrier. The landscape conservation purpose offered as the rationale for the LCZ application does not require a discretionary dwelling pathway: the relevant codes under the RLZ provide equivalent landscape protection, and the RLZ purpose expressly accommodates residential use in rural settings where natural and landscape values are to be retained.

3.3 Landscape Values Are Adequately Managed Through Applicable Codes Under the RLZ

The Zone Guidelines at RLZ 4(b) contemplate that the RLZ should not be applied to land with important landscape values unless those values can be appropriately managed through the application and operation of the relevant codes. The Ireneinc Review made clear this is an important and under-examined pathway in the Kingborough LPS process.

CT [REDACTED] is subject to the following code overlays under the draft LPS:

- C7.0 Natural Assets Code (Waterway and Coastal Protection Area, and Priority Vegetation Area);
- C8.0 Scenic Protection Code;
- C13.0 Bushfire-Prone Areas Code; and
- C15.0 Landslip Hazard Code.

These codes, operating in conjunction with the RLZ, provide a comprehensive and effective framework for managing landscape, vegetation, and scenic values on CT [REDACTED] In particular:

- The C7.0 Natural Assets Code will regulate development in proximity to waterways and will protect any priority vegetation on the parcel from clearing without assessment.
- The C8.0 Scenic Protection Code will regulate the visual impact of any development, ensuring that the scenic character of the locality is protected.
- Together, these codes operationalise the very landscape protections that are offered as the rationale for LCZ — but without the severe and disproportionate consequence of rendering a single dwelling discretionary.

We submit that the landscape values present on CT [REDACTED] are not of a character or intensity that requires the primary zone itself to be a landscape-protection zone. They are appropriately manageable through the code overlay framework, consistent with the RLZ 4(b) pathway expressly contemplated by the Zone Guidelines. The application of the LCZ over-regulates land that is half-cleared and earmarked for rural residential development, where the applicable codes already provide the necessary landscape safeguards.

3.4 The Split Zoning Outcome Is Internally Inconsistent and Functionally Incoherent

The proposed draft LPS outcome applies two different zones to what is, in substance, a single integrated rural property under the same ownership with a single integrated residential purpose:

- CT [REDACTED] (5.29 ha): Rural Living Zone — single dwelling no permit required;
- CT [REDACTED] (2.48 ha): Landscape Conservation Zone — single dwelling discretionary.

These two titles are contiguous, share a boundary, have the same owner, and serve a unified land holding purpose. The differential zoning outcome is not driven by any meaningful difference in landscape character between the two parcels — both sit within the same valley setting and the same locality, and the parcel proposed for LCZ is in fact more cleared and more appropriate for development than portions of the RLZ parcel.

The Ireneinc Review noted that fragmented application of the LCZ — applying LCZ to isolated parcels surrounded by RLZ — is a pattern that has been identified for correction throughout the LPS process. The Commission has, in other instances, directed that isolated LCZ parcels surrounded by RLZ be modified to RLZ to resolve these zoning anomalies. The same principle applies directly here: CT [REDACTED] is a small LCZ parcel sitting adjacent to an RLZ parcel of the same property, within a locality dominated by RLZ. There is no principled basis for maintaining the LCZ boundary as drawn.

3.5 The Primary Strategic Intention of the Land Is Residential

The Ireneinc Review and the TPC process have devoted considerable attention to determining the ‘primary strategic intention’ of land transitioning from the ELZ — whether for landscape conservation or for residential use. That debate reflects a genuine complexity inherent in the ELZ, which coupled residential and environmental purposes together. The subject land, however, was previously zoned Rural Resource Zone, not ELZ. It does not carry the same analytical complexity. The primary strategic intention of CT [REDACTED] is assessed on its own terms and is, in this case, unambiguous:

- The land was purchased for residential development purposes.
- Access infrastructure has been designed, surveyed and prepared specifically to serve a proposed dwelling on this parcel.
- The land has historically supported active land use (fruit farming, grazing) rather than passive landscape conservation.
- The parcel is not predominantly vegetated — it is approximately half cleared, with cleared areas earmarked for the proposed dwelling.
- The parcel sits within a locality in which the dominant proposed zone is RLZ, reflecting a recognised rural residential settlement pattern along Nicholls Rivulet Road and the waterway, Nicholls Rivulet itself.

These factors collectively and clearly demonstrate a primary strategic intention for residential use. The subject land was previously zoned Rural Resource Zone, and the applicable RLZ pathway is RLZ 1(a) of the Zone Guidelines, which provides that the RLZ should be applied to residential areas with larger lots where existing and intended use is a mix between residential and lower order rural activities and priority is given to the protection of residential amenity. Alternatively, RLZ 2(a) applies where the application of the RLZ is consistent with the relevant regional land use strategy. Both pathways are available and applicable here, independent of the ELZ-specific gateway at RLZ 2(b).

3.6 The LCZ Imposes a More Onerous Access Standard That the Subject Land Cannot Satisfy

A further and distinct consequence of the proposed LCZ application is the access standard that would apply to any future dwelling on CT [REDACTED]. The access standard applicable in each zone is materially different and produces a critically different planning outcome for the subject land.

Under the LCZ, the applicable access standard for a new dwelling is SPP clause 20.4.3. Its objective and acceptable solution state:

Objective: That new dwellings have appropriate vehicular access to a road maintained by a road authority.

A1: New dwellings must be located on lots that have frontage with access to a road maintained by a road authority.

P1: New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is appropriate, having regard to: (a) the number of users of the access; (b) the length of the access; (c) the suitability of the access for use

by the occupants of the dwelling; (d) the suitability of the access for emergency services vehicles; (e) the topography of the site; (f) the construction and maintenance of the access; (g) the construction, maintenance and usage of the road; and (h) any advice from a road authority.

Both the A1 acceptable solution and the P1 performance criteria under clause 20.4.3 require that access terminate at a road maintained by a road authority within the meaning of the Local Government (Highways) Act 1982. CT [REDACTED] does not have direct frontage to any public road. Our access arrangement runs via a surveyed right of carriageway adjacent to the road reserve adjoining [REDACTED] and through CT [REDACTED] CT [REDACTED] CT [REDACTED] and CT [REDACTED]. Critically, this right of carriageway is a private easement over private land. Already paid for with the intent of building a dwelling on the subject property

We further acknowledge that the right of carriageway, while surveyed and prepared by a registered surveyor, has not yet been lodged with the Land Titles Office and does not at present have legal force as a registered title encumbrance. Any discretionary dwelling application under the LCZ would therefore need to demonstrate not only that the LCZ access standard is met, but that the access instrument itself is legally operative at the time of the application. This compounds the uncertainty and regulatory burden imposed by the LCZ on what should be a straightforward rural residential development.

By contrast, the access standard applicable in the RLZ for subdivision purposes is SPP clause 11.5.1 P2 and P3. These performance criteria require only that a lot be provided with a frontage or legal connection to a road by a right of carriageway that is sufficient for the intended use, having regard to matters such as the number of lots relying on the access, topography, functionality and usability of the frontage, anticipated vehicle types, and the ability of emergency services to access the site. Notably, there is no requirement that the access terminate at a road maintained by a road authority. The RLZ access standard instead focuses on the practical sufficiency of the access arrangement — a standard that our surveyed right of carriageway is well placed to satisfy.

This difference in access standards is not a minor technical distinction. It is a structural feature of the LCZ that creates a real, practical and potentially insurmountable impediment to the our ability to construct a dwelling on CT [REDACTED] entirely independent of the question of the dwelling's use classification. The Commission should have regard to the fact that zoning CT [REDACTED] LCZ does not merely retain a discretionary assessment pathway for a dwelling — it may, depending on the status of [REDACTED] and the right of carriageway, render any dwelling on the parcel incapable of satisfying the applicable access standard altogether. This outcome is disproportionate, unjust, and unsupported by the landscape conservation purpose that is the sole rationale offered for the LCZ application.

We note that the right of carriageway and electrical easement was purchased, surveyed and prepared specifically in anticipation of obtaining approval for a rural dwelling. This is further compelling evidence of the primary residential strategic intention of the land, as addressed in section 3.5 above. It also demonstrates good faith investment in the land in reliance on a reasonable expectation that a dwelling could be achieved. The application of the LCZ, with its road authority access requirement, frustrates that expectation in a manner that is inconsistent with the principles of natural justice and the proper exercise of the zone allocation function.

4. Grounds in Support of the Rural Living Zone

4.1 The RLZ Purpose Is Satisfied

The purpose of the Rural Living Zone is:

11.1.1 To provide for residential use or development in a rural setting where: (a) services are limited; or (b) existing natural and landscape values are to be retained.

11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.

CT [REDACTED] directly satisfies this purpose. It is land in a rural setting with limited services, where we seek to establish a single dwelling, with existing natural and landscape values to be retained through the application of the relevant codes. The parcel is also currently used for grazing — a compatible agricultural use expressly acknowledged in the RLZ use table as a No Permit Required activity.

4.2 RLZ 1(a) and RLZ 2(b) Are Met

Zone Guideline RLZ 1(a) provides that the RLZ should be applied to residential areas with larger lots where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity.

CT [REDACTED] as part of the combined 7.77 ha holding at [REDACTED]

- Is a larger lot within a rural setting;
- Has existing and intended uses that are a mix of rural activities (grazing) and residential (intended dwelling); and
- Sits within a locality where the priority, as reflected in the predominant RLZ mapping, is residential amenity.

The subject land was previously zoned Rural Resource Zone under KIPS 2015, not ELZ, and accordingly the ELZ-specific gateway at RLZ 2(b) does not apply directly. We rely instead on RLZ 1(a), which requires no prior RLZ zoning history and applies straightforwardly to the subject land as a larger-lot rural holding where the intended use is residential with compatible lower-order rural activity. Additionally, RLZ 2(a) permits application of the RLZ where consistent with the relevant regional land use strategy. As addressed further in section 4.3, the application of the RLZ to the subject land is consistent with the established and proposed rural living settlement pattern along Nicholls Rivulet Road and with the broader STRLUS framework for the consolidation of existing rural living settlements.

4.3 Consistency With the Broader Locality and Settlement Pattern

The zoning map provided by us (see Figure 1) and the draft LPS mapping, demonstrate that properties along Nicholls Rivulet Road are predominantly proposed for the Rural Living Zone. The subject land at [REDACTED] sits within this settlement corridor. Applying the RLZ to both titles would produce a consistent, coherent zoning outcome that:

- Reflects the established and proposed rural living character of the locality;
- Avoids an anomalous, spot-zoned LCZ parcel isolated within an otherwise RLZ-dominated precinct;
- Aligns the subject property's zoning with that of its immediate neighbours; and
- Provides us with a clear and certain planning pathway for a single rural dwelling, consistent with the legitimate purpose for which the land was purchased.
-

4.4 Landscape Values Are Protected Through Applicable Codes

As submitted at sections 3.3 and 3.6 above, the landscape and environmental values of CT [REDACTED] are not left unprotected under the RLZ, and the access arrangements for the parcel are well suited to the RLZ standard. The combination of the C7.0 Natural Assets Code (waterway protection and priority vegetation), C8.0 Scenic Protection Code, C13.0 Bushfire Code, and C15.0 Landslip Hazard Code provide a robust and targeted framework for

managing any sensitive attributes of the land, without the disproportionate effect of making a single dwelling a discretionary use or imposing an access standard the land cannot satisfy.

This is precisely the outcome envisaged by RLZ 4(b) of the Zone Guidelines, which recognises that land with landscape values can be appropriately zoned RLZ where those values can be adequately managed through the code framework. We submit that this threshold is clearly met in the circumstances of this parcel.

5. Summary and Requested Outcome

We respectfully submit that the proposed application of the Landscape Conservation Zone to CT [REDACTED] at [REDACTED] Oyster Cove is not consistent with the zone application guidelines established by the Section 8A Guideline No. 1 and is inappropriate having regard to:

- The clear and primary residential strategic intention of the land;
- The practical impediment created by making a single dwelling discretionary under the LCZ in the absence of a sealed plan building area;
- The mixed and half-cleared character of the parcel, which does not exhibit the characteristics of land for which the LCZ is designed;
- The availability and adequacy of applicable code overlays to manage landscape values under the RLZ;
- The anomalous and internally inconsistent split-zoning outcome that would result from applying two different zones to a single integrated land holding;
- The broader locality context, in which the predominant proposed zone is the Rural Living Zone; and
- The materially more onerous road access standard imposed by the LCZ (SPP clause 20.4.3, requiring access to a road maintained by a road authority) compared with the RLZ (SPP clause 11.5.1 P2/P3, requiring only sufficient access for the intended use), which the subject land's access arrangements cannot satisfy under the LCZ framework.

We request that the Tasmanian Planning Commission direct that the Rural Living Zone be applied to CT [REDACTED] ([REDACTED] being the 2.48 ha title at [REDACTED] Oyster Cove, such that both titles comprising the subject property are zoned consistently and appropriately as Rural Living Zone.

In conclusion, it was always our intention to build a dwelling on this land. There are many overlays over this property which protect its natural values and we don't see the application of LCZ zoning being fair or practically achieving anything. The current overlays of - Landslide Hazard Area, Bushfire Prone Area, Waterway and Coastal Protection Area and Scenic Landscape area already protects the landscapes natural values, through the usual application process.

This property was historically a small fruit farm and has some tracks and a dam on its southern half. When we purchased the block, the river flat paddock was mostly grass, reeds and 3 types of introduced thistles. The area around the dam, South of the road reserve was mostly blackberries with a few very old apple trees. We have tirelessly removed the introduced weeds from the old agricultural area with all that is remaining is two radiata pines. The land is now in two distinct sections of the lower pasture area and the steeper bush area to the North of the road reserve. The lower area we maintain for bushfire and living purposes and mow it regularly, as can be seen in the photos. There is a natural house site below the dam, which has nearly full privacy from [REDACTED]. To the North of the road reserve is dry sclerophyll forest with some large eucalypts and man ferns in gullies. We value the natural

landscape of this area and have no intention/plans to alter the landscape of the steep Northern section of the property.

We also use this land as a part of our bushfire management plan. This pasture protects us from a fire from the West. The bushland to the west of this land has not been burnt, nor maintained, in any way since 1967 (except last summers' fire in Snug Tiers approximately 5km to the Northwest). We need to be able to continue maintaining this land for the safety of our home, pets and family. Being rezoned to LCZ will hinder this.



5.1 Alternative Outcome – split zoning

If it is determined that CT [REDACTED] must be changed to LCZ, can we please have a split zoning on this title? This option of a split zoning would let us utilise the lower section of the land adjacent to the Rivulet, whilst keeping the higher section bush, however, this has always been our intention. We also believe a split zoning could suit this property with LCZ applied to the North of the road reserve and Rural Living Zone B to the South of the road reserve. We have noticed on the Kingborough draft LPS, 69 [REDACTED] appears to have split zoning. A cluster of properties nearby on Snug Falls Road are all split zoned as they all share similar attributes of being partially pasture. These are 376, 403, 461 and 501(both titles) Snug Falls Road. There are also two properties to the West and Northwest with the same situation, being 300 and 316 Nicholls Rivulet Road. At the final Kingborough Council meeting regarding this issue, some of the councillors were in favour of split zoning.

We choose to live in the bush, to bring our children up out of suburbia. We love Tasmania and all it has to offer in regards to natural values, flora and fauna, weather. We do not think it is at all fair nor reasonable that our family's plans and future wealth can be taken away from us. We purchased this land with our future in mind and now, may have our future rights taken from us should this be zoned LCZ. We welcome anyone involved in this decision to actually come to the land and see it with their own eyes. Approximately half the land is pasture and we simply

do not understand why we would lose the right to build our children a home. At the Kingborough Council meeting, the councillors moved a motion stating that they supported the less restrictive zone if two zones are applicable. For this piece of land, with all that we have mentioned above, we believe Rural Living Zone B is the most appropriate, especially when considering the Kingborough Council's stance, or a split zoning of RLZ2 and LCZ to the North of the road reserve.

While we agree that Tasmania's landscapes should be protected, we believe it can be done best through RLZ and current overlays. Rezoning to LCZ would harm our continuous use of the land as allowed when purchased and was originally zoned Rural Resource.

Yours sincerely,

Jorja and Toby

Representors: Toby Burgess-Wilson and Jorja Jaggard

Address: [REDACTED] Oyster Cove TAS 7150

Date: 3 May 2026

Appendix 1 — Relevant Zone Application Guidelines (Section 8A Guideline No. 1)

Rural Living Zone

RLZ 1	The RLZ should be applied to: (a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity; or (b) land that is currently a RLZ within an interim planning scheme or a section 29 planning scheme.
RLZ 2(b)	The RLZ should not be applied to land that is not currently within an interim planning scheme RLZ, unless: ... (b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied.
RLZ 4(b)	The RLZ should not be applied to land that: ... (b) contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see LCZ), unless the values can be appropriately managed through the application and operation of the relevant codes.

Landscape Conservation Zone

LCZ 1	The LCZ should be applied to land with landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values, where some small-scale use or development may be appropriate.
LCZ 4(a)	The LCZ should not be applied to: (a) land where the priority is for residential use and development (see RLZ).

OWNER: LOCATION: Peters Rd, Opheim Cove TITLE REFERENCE: C196649/31/2008/75/1 MUNICIPALITY:			
D.J. POTTER Land Consultants		9 Warwick St, Hobart, Tasmania 7000 Phone: 03-62 343082 Fax: 03-62 343360 Email: djpotter@line.net	SCALE: 1:10000 DATE: 7/08/18 DRAWN: JP
PROPOSED SUBDIVISION		This drawing was prepared for the above named land to accompany an application to the relevant government authority for a proposed subdivision and should not be used for any other purpose. The dimensions, areas and total number of lots shown herein are subject to field survey and also to the requirements of council and any other authority which may have requirements under any relevant legislation. In particular no reliance should be placed on information for any structural designs involving the land. This note forms an integral part of this plan.	
ALL MEASUREMENTS ARE IN METRES LEVEL DATUM: assumed datum 100 at Survey Station CONTOUR INTERVAL: NIL REFERENCE: 180757			