
From: Adam Batchelor <[REDACTED]>
Sent: Monday, 4 May 2026 3:31 PM
To: TPC Enquiry; Kingborough LPS
Subject: Representation - TPC - [REDACTED] Snug
Attachments: Finance Office Scan_20260504_[REDACTED].pdf; Finance Office Scan_20260504_[REDACTED].pdf

Hi

Please see attached representation for [REDACTED] Snug, following on from the recommendations of the Irene Inc report.

Can you please send a return email to acknowledge that you have received this email and please do not hesitate to give me call if you have any questions.

Kind Regards,

Adam Batchelor - Operations Manager / Director

☎ 03 6229 1477



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03/05/2026

To the Tasmanian Planning Commission,

I write in response to the letter dated 2 April 2026 (ref: DOC/26/36829) advising that the Ireneinc report recommends my property remains within the Landscape Conservation Zone (LCZ) under the draft Kingborough Local Provisions Schedule (LPS).

I did not make a formal representation during the public exhibition period and have not previously had correspondence with the Commission regarding the draft LPS. I understand that this letter has been sent to ensure procedural fairness and provides me with a clear opportunity to formally participate in this stage of the process. I understand that making a submission does not confer a right to be heard, but that the Commission may decide to invite me to discuss the matters raised.

I take up that opportunity and submit as follows.

Landowner name(s)	Adam Batchelor
Property address	[REDACTED] Snug
Title reference (folio)	[REDACTED]
Lot size (approx.)	39ha
Locality	Conningham and Snug
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Landscape Conservation Zone (LCZ) — unchanged
Zone sought in this submission	Rural Living Zone (RLZ)

ASB

I submit that the application of the Landscape Conservation Zone (LCZ) to my property is not consistent with the requirements of section 34 of the Land Use Planning and Approvals Act 1993 (LUPAA), the Section 8A Guideline No. 1 — Local Provisions Schedule: Zone and Code Application (the Zone Guidelines), or the Southern Tasmania Regional Land Use Strategy (STRLUS).

I request that the Commission determine that the Rural Living Zone (RLZ) is the appropriate zone for my property under the draft Kingborough LPS.

The specific subcategory I seek is:

- Rural Living Zone C (minimum lot size 5 ha) — reflecting the existing lot pattern in my locality

The predominant lot size in Powers Rd and surrounds is approximately 40+ ha, consistent with RLZ C

The Commission is required by section 35L(2) of LUPAA to assess whether the LPS meets the LPS criteria, which includes compliance with the Zone Guidelines. The Commission confirmed at the Day 20 hearing that it will decide on the basis of the LPS criteria set out in section 34 of LUPAA and explicitly noted that Council's position — including its 16 March 2026 resolution favouring the 'least restrictive alternative' — is not binding on the Commission [Transcript, Day 20, 06:45:48]. I submit that the application of LCZ to my property does not comply with the Zone Guidelines as demonstrated below.

The Zone Guidelines state expressly: 'The LCZ is not a replacement zone for the ELZ in interim planning schemes. There are key policy differences between the two zones.' The TPC itself noted this in its post-lodgement correspondence with Council, observing that the LCZ 'appears to have been used quite extensively to replace the ELZ' and that 'application of the LCZ could signify a shift in council policy or strategy, which generally ought to be comprehensively justified.'

No such comprehensive, site-specific justification has been provided for my property. The Ireneinc report applies the LCZ to my property on the basis of generalised locality-level landscape values, not on the basis of demonstrated landscape values specific to my title.

The Ireneinc Locality Report for Cunningham and Snug does not identify any specific landscape values on my title. The landscape value assessment is made at locality level without reference to the characteristics of my individual property.

The Ireneinc evaluation framework requires consideration of whether identified landscape values can be appropriately managed outside of LCZ, specifically through the Natural Assets Code (NAC), the Scenic Protection Code (SPC), or a Specific Area Plan (SAP). The Commission itself accepted this argument in relation to Kettering West



at Day 20, where the panel effectively found that the Priority Vegetation Area (PVA) overlay does the landscape-protection work, not the zone [Transcript, Day 20, 02:33:54].

My property is within a Scenic Protection Area (SPA). It is subject to the NAC / PVA overlay. These overlay controls provide adequate management of any landscape values present, without the need for the more restrictive LCZ.

The following exchanges from the Day 19 and Day 20 TPC hearings directly support the argument that the RLZ is more appropriate than the LCZ for my property. These statements were made by TPC Commissioners and are on the public record.

Kate Heckelmann (Ireneinc) conceded at Day 20 [05:53:00] that the evaluation framework is not a statutory instrument — it is a tool, not a rule. The Commission is not bound by its application in any individual case and must assess my property against the statutory criteria in section 34 of LUPAA and the Zone Guidelines.

At Day 20, the low/medium/high risk ratings applied by Ireneinc to LCZ recommendations were described as judgement calls, not defined thresholds. Ireneinc's position was that these ratings are a rule of thumb only [Day 20 guide]. The Commission has not yet determined what weight to give these ratings. Where the risk rating applied to my locality is medium or high, this is not a determinative finding — it is an assessment that can be challenged with site-specific evidence.

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 my property.

My property in Conningham and Snug is directly comparable to properties in Powers Road and on the Channel Highway Snug, where RLZ was recommended. Both areas share the following characteristics: 40+ ha lot sizes, limited settlement pattern, proximity to existing RLZ, absence of significant landscape values. There is no principled basis on which to treat my property differently.

The Ireneinc report itself identifies avoidance of fragmented LCZ application as a key principle. The report notes that areas where only 2–3 LCZ-zoned properties are surrounded by Rural Zone (RZ) or RLZ land should be modified to resolve the fragmentation. Where my property is located within or adjacent to an area predominantly zoned RLZ or RZ, the application of LCZ creates exactly the kind of spot-zoning that the Ireneinc framework seeks to avoid.



My property is surrounded on the east and west by properties zoned RLZ/Rural Zone under the draft LPS. The application of LCZ to my property alone (or to a small cluster of 3 properties) creates a fragmented and isolated pocket of LCZ within a predominantly RLZ/Rural area.

The Ireneinc LCZ Review report documents a significant evolution — and inconsistency — in Council's approach to the application of the LCZ to ELZ land. At the time the draft LPS was first submitted to the TPC in 2020, approximately 85% of ELZ parcels were proposed for LCZ. The TPC noted that this approach was often inconsistent with the Zone Guidelines and that 'often when assessing particular sites the zone proposed does not seem to match these criteria or those of Guideline No.1.' By the time of public exhibition the proportion had been reduced to approximately 75%, with the balance transitioning to RLZ, RZ, and other zones.

This history demonstrates that the initial presumption in favour of LCZ was not well-founded and that the LCZ application has been progressively narrowed as the evidence base has been tested. The Ireneinc report represents a further iteration of this process, but where the evidence specific to my property supports RLZ, the LCZ recommendation should not be allowed to stand.

Where landscape values are present on or near my property, I submit that they can be appropriately managed through the application of the relevant overlay controls, without the need for LCZ. The TPC panel acknowledged on Day 20 [02:33:54] that the PVA overlay and SPC do the landscape-protection work in many cases, removing the justification for LCZ in those areas.

Ireneinc itself acknowledged in the LCZ Review report that a future rural living settlement review may reconsider current RLZ decisions, and that any short-term risk is 'not something that's a definitive or a risk that can't be mitigated with future action' [Transcript, 03:06:18]. This acknowledgement of residual risk mitigation further supports the appropriateness of RLZ rather than LCZ for my property.

My property is within the SPA / PVA overlay / subject to the NAC. These controls regulate impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes. They minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast. They protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise and minimise impacts on identified priority vegetation. They manage impacts on threatened fauna species by minimising clearance of significant habitat.

The combined effect of RLZ zoning and these overlay controls is sufficient to manage any landscape values identified in the locality baseline without resort to LCZ.



A formal inconsistency analysis has been prepared and is attached to this submission as Attachment A. That analysis compares the landscape value descriptions, settlement characteristics, lot sizes, SPA coverage, PVA/NAC overlay coverage, and risk ratings applied by Ireneinc to this locality against one or more similar localities that received a more favourable zone outcome using the same or near-identical evidence.

The analysis draws on the following key statements from the Day 20 TPC hearing:

- Commissioner Rohan Probert [01:07:48]: Directly identified that landscape descriptions for Tinderbox East and Howden are near-identical yet produced opposite zone outcomes, asking Ireneinc to identify the actual difference between those two. This principle applies to the inconsistency documented in Attachment A for this locality.
- Commissioner Dan Ford [02:33:54]: Forced the concession that the PVA overlay does the landscape-protection work, not the zone. This principle applies where PVA overlay is present on my property.
- Kate Heckelmann (Ireneinc) [05:53:00]: The evaluation framework is a tool, not a statutory instrument. Submissions can depart from it with good evidence.

As documented in Attachment A — the Conningham and Snug section, the comparison with other properties that surround mine, shows that Ireneinc applied near-identical landscape value descriptions and settlement findings yet recommended LCZ for my property and RLZ for similar properties in the same locality.

I request that the Commission have regard to Attachment A in assessing this submission, and in particular to the specific comparison rows identified above, which demonstrate that the Ireneinc recommendation for this locality is inconsistent with the outcome produced by the same evaluation framework applied to comparable localities elsewhere in the municipality.

Conningham and Snug

The Ireneinc report recommends - Mixed outcome. Snug Tiers Road residential cluster → RLZ. Old Station Road / former PPZ footprint → Rural Zone (existing rural activities). LCZ retained for balance of locality. Four coastal parcels were 'parked' (not decided) due to complexity of coastal interface issues.

TPC panel comments - No questions were raised about Conningham at the hearing. The Old Station Road Rural Zone outcome is notable — this was former PPZ land transitioned to Rural Zone rather than RLZ, recognising existing rural activities. Ireneinc's approach of differentiating residential clusters (→ RLZ) from rural activity areas (→ Rural Zone) within the same locality is instructive.

The Ireneinc report identifies the landscape value in Conningham and Snug as coastal views and significant native vegetation. This value does not characterise my property because it is not in close proximity to the coast or predominantly coastal facing and has



recently been burnt out due to a vegetation fire therefore does not have significant native vegetation.

The Conningham and Snug area include a significant number of properties currently zoned RLZ under the KIPS2015. My property adjoins 3 of these existing RLZ properties.

For the reasons set out above, I submit that:

1. The application of the LCZ to my property is inconsistent with the Zone Guidelines (Guideline No. 1) and does not satisfy the requirements of section 34 of LUPAA.
2. The LCZ is prohibited by Zone Guideline LCZ 4(a) where, as here, the priority of the land is residential use.
3. The Rural Living Zone satisfies the criteria in Zone Guidelines RLZ 1(a) and RLZ 2(b) and is the appropriate zone for my property.
4. Any landscape values identified in the locality can be appropriately managed through existing overlay controls without resort to LCZ.

I respectfully request that the Commission:

- Determine that the draft Kingborough LPS should be modified to include my property within the Rural Living Zone C;
- If the Commission proposes any alternative outcome, that I be provided with an opportunity to respond before any final determination is made.

I request that the folio of the Register [REDACTED] at [REDACTED] Snug, Conningham and Snug, be included within the Rural Living Zone C in the Kingborough Local Provisions Schedule.

Signed:

[REDACTED]

Date: 3, 5, 2026

Adam Batchelor

Full name:

[REDACTED]

Contact email / phone:

[REDACTED]

ATTACHMENT A

Inconsistency Analysis — Ireneinc Zone Evaluation

IMPORTANT DISCLAIMER: This analysis has been prepared to support a written submission to the Tasmanian Planning Commission. It represents a personal analysis of publicly available Ireneinc reports and hearing records and is NOT professional planning advice. All references to Ireneinc locality reports and hearing transcripts should be verified against the primary source documents before being relied upon. The primary documents — Ireneinc Locality Baselineing and Alternative Zone Evaluation, the Ireneinc LCZ Review and Findings Report, and the Day 20 TPC hearing transcript — are publicly available on the Commission's website and Kingborough Council's website.

PART 1 — SUBMISSION IDENTIFICATION

Submission reference	Adam Batchelor — [REDACTED] Snug — Direction 69
Property title reference	[REDACTED]
Locality	Conningham and Snug
Submission template used	Template T1 — Contest LCZ, seek RLZ
Date of attachment preparation	3/05/2026

PART 2 — PURPOSE OF THIS ATTACHMENT

This attachment has been prepared to support the written submission identified above. It provides comparative analysis of the Ireneinc zone evaluation framework as applied to the landowner's locality, compared against one or more similar localities that received a different — and more favourable — zone outcome using the same or very similar evidence.

The purpose is to demonstrate to the Commission that the Ireneinc recommendation for this locality is inconsistent with the outcome produced by the same evaluation framework applied elsewhere in the municipality, and that there is no clear reason to treat this locality differently from the similar localities identified.

This attachment should be read alongside the written submission, in particular the arguments set out in Part D (D7 — Inconsistency in the Ireneinc evaluation framework) and Part E (Locality-Specific Context) of that submission.

PART 3 — HEARING EVIDENCE SUPPORTING THIS ANALYSIS

The following statements from the Day 19 and Day 20 TPC hearings directly support the use of a comparative inconsistency analysis as evidence in a submission:

Speaker and timestamp	Statement and relevance
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Delegate Rohan Probert [01:07:48]

Comparing Tinderbox East (LCZ) with Howden (RLZ): 'They are very similar if you only look at the description of the landscape values... one we say they can be managed and the other one we say they can't be managed. What we really need to say is the difference between those two.' This statement acknowledges that the Ireneinc framework produced inconsistent outcomes from very similar evidence, and that the difference between localities needs to be clearly explained. This analysis does exactly that for this locality.

Delegate Dan Ford [02:33:54]

At Kettering West: effectively forced the concession that the Priority Vegetation Area (PVA) overlay does the landscape-protection work, not the zone. This is directly relevant where PVA applies to the subject property and LCZ has been recommended — the same logic that produced RLZ at Kettering West Groombridges applies.

Kate Heckelmann (Ireneinc) [05:53:00]

Conceded that the evaluation framework is a tool, not a legal requirement. Submissions can move away from it if supported by good evidence. This confirms that identifying inconsistencies in the framework's application — as this analysis does — is a legitimate basis for a submission.

Chair Nick Heath [06:45:48]

Confirmed that the Commission will decide on the basis of section 34 LUPAA criteria (Zone Guidelines and LPS criteria), not on the basis of Council's position or the Ireneinc framework alone. The Zone Guidelines require consistent application of zone criteria — inconsistency of the kind documented in this attachment is therefore directly relevant to the Commission's assessment under the law.

PART 4 — MOST RELEVANT COMPARISONS FOR THIS SUBMISSION

The following table identifies the specific comparisons within the attached Inconsistency Analysis that are most directly relevant to this submission. The full comparative tables for this locality appear in the pages that follow.

Characteristic compared	Similar locality cited in Attachment A	Why this comparison supports my submission
The parcel of land is in close proximity (shared boundaries) with 3 other properties with similar Landscape values	Conningham and Snug	There is no reason that this parcel should be LCZ and the adjoining properties be proposed a RZ
Landscape values consistent with LCZ are to have Coastal facing aspects in close proximity to coastline and significant native vegetation	Conningham and Snug	This parcel is not in close proximity to the coastline and is limited in the coastal facing aspect, there is no significant native vegetation present

PART 5 — PROPERTY-SPECIFIC DIFFERENTIATION

This attachment identifies inconsistencies at the locality level. The submission itself provides the property-specific evidence explaining why those inconsistencies apply to this individual property. In summary, the following characteristics of this property are consistent with the similar localities that received RLZ, and are not consistent with the reasons cited by Ireneinc for LCZ retention:

Priority Vegetation Area overlay applies to my lot — consistent with Kettering West Groombridges where the TPC found PVA does the landscape-protection work.

PART 6 — VERIFICATION AND PRIMARY SOURCES

All comparisons in this attachment can be verified against the following primary source documents, which are publicly available:

- Ireneinc Locality Baselineing and Alternative Zone Evaluation (available on the TPC website)
- Ireneinc LCZ Review and Findings Report (available on the TPC website)
- TPC Day 20 hearing recording — Kingborough Council YouTube channel (available until midnight 19 June 2026)
- Section 8A Guideline No. 1 — LPS Zone and Code Application (available on the TPC website)

The timestamps in this attachment (e.g. [01:07:48]) show how far into the Day 20 YouTube recording each exchange takes place. To verify a quoted exchange, navigate to that timestamp in the recording. The full text transcript is also available as a supporting document to this submission.

PART 7 — DECLARATION

I confirm that:

1. This attachment has been prepared to support a formal written submission to the Tasmanian Planning Commission in relation to the Kingborough Local Provisions Schedule (Direction 69).
2. The comparisons contained in this attachment are based on publicly available Ireneinc reports and TPC hearing records, and I have made reasonable efforts to ensure accuracy.
3. I am the owner or authorised representative of the property identified in Part 1 above.

Signed:



Date: 3, 5, 2026

Adam Batchelor

Full name:



Contact email / phone:



LODGEMENT: Email your completed submission and Attachment A to tpc@planning.tas.gov.au with the subject line: 'Submission — Kingborough LPS Direction 69 — 109 powers road snug'. The deadline is midnight Monday 4 May