
From: [REDACTED]
Sent: Monday, 4 May 2026 8:41 PM
To: Kingborough LPS
Subject: Submission [REDACTED] Gordon
Attachments: Submission [REDACTED] Gordon.pdf

(Would like to add that split zoning can remain a possibility if Full RLZ isn't feasible)

Sent from [Proton Mail](#) for Android.

From: [REDACTED]
Sent: Monday, 4 May 2026 8:56 PM
To: Kingborough LPS
Subject: Fw: DOC/26/36829

Added statement to my previous email

Sent from [Proton Mail](#) for Android.

----- Original Message -----

On Monday, 05/04/26 at 20:46 [REDACTED] wrote:

Sent from [Proton Mail](#) for Android.

----- Original Message -----

On Monday, 05/04/26 at 16:56 wrote:

To the Tasmanian Planning commission.

I write in response to the letter dated 2 April 2026 (ref:Doc/2636829) 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 however I presume that the Commision has received correspondence from me or on my behalf in relation to the draft LPS process by making a written submission. I presume that a right to be heard but that the Commission may decide to invite me to discuss the matters raised.

I take up that opportunity as follows ;

[(Variant 3)

#Part B Name; Ineke Severin

*Title ref [REDACTED]

*Address ; [REDACTED] 7150

*Locality; Gordon

*Lot size; 100 acres

*Current ;ELZ

*Draft LPS; LCZ

*existing use; art studios ,dwelling and garden

#Part C statement of position zone sought;

RLZ

*Specific subcategory I seek is Rural living zone D

#Part D grounds for submission

D.D 1

#Part E locality ref guide Part E]

Continuing..

You are unable to provide an adequate watertight definition for Landscape Values and a clear definition of the full comprehensive definition, legal standards and description of LCZ , as mentioned in the 'executive summary' of the report:

You describe , LCZ is ;

* a new zone

*LCZ is not intended to replace ELZ in totality

*is an alternative zone in which Landscape and natural values take presedense over residential use.

This description is vague and can therefore be used and interpreted to redefine and redirect

in any way shape or form ,by governments /councils and other organisations or individuals to suit or align to already planned lines of directions , or yet to be installed laws,visions, proposals and all other applicable changes to suit beneficiaries, governments , stakeholders, (and the likes) ,in all shapes or forms.

The ireneinc report mentioned that "no rural living settlement characteristics are identified "

They , the ireneinc specialists, may have ignored a plaque at Gordon Jetty ,showcasing and describing the historical significance of Gordon settlement, mentioning the Behrens family, whaling activities and establishing orchards and other historical information about Gordon Community.

Are you not aware of this informative sign, placed by K C , for all visitors to the channel to see, read and take photographs of, and discuss its information with fellow travellers, worldwide?

This is clearly evidence of and proof of early settlement in Gordon. Just driving a scenic route through Gordon, anyone can observe the age of the houses.

My question is, are the ireneinc academics able to distinguish between historical buildings and the characteristics of architecture belonging to certain periods as to define how long buildings have been around in the Gordon area.

Settlement has been established for a long time in Gordon, not to mention all new developments in the last 15 years

Most residents have vegetable gardens, orchards, and or livestock, are artisans with studios and or family businesses, using land and needing space. This are clearly observable facts, and typical rural living characteristics.

Did the consultants of ireneinc fail to take notice of this fact while closely studying the area with their great knowledge and expertise?

Gordon has a strong community, with various community activities, such a dog walking at the beach, meeting at 4 pm, having chats and discussions about casual and important community affairs and personal concerns, things people talk about, in and around the shop in Middleton. Other activities include; Cancer council morning teas, the Scarecrow fair day. Neighbourhood activities such as helping clearing vegetation, cutting logs sharing of firewood, to name a few. In short, it's a very peaceful , friendly , closely knit community, typically of most rural living settlement areas in Australia.

My property at [REDACTED] Gordon , has, situated at the lower North side of my land an adjacent neighbour, namely, miss B Cairns, whose land has been classified as RLZ .She has Bush and paddock, animals and grows also apples, had an olive grove put in years ago, so definitely an example of Rural activities. As for myself, I am an artist and my studios are present on my property, I need

therefore room to move. Also I do keep some small livestock, grow herbs and vegetables.

I need peace and quiet and inspiration in order to be able to paint, contributing to the Tasmanian Art Scene. My property has remained rustic and natural over the years to keep Landscape Values on a high level. My place has been here for 46 years, as well as the property of my neighbour on the West upper side of my land bordering no 103. This is occupied by an elderly couple, who need peace and quiet, and are currently unable to find time to address this issue, since the elderly gentleman needs care. Both properties were built 46 years ago, in Rural Zone. And see no reason why [REDACTED] should be classified LCZ.

There is no rule or guide line that states backing onto State Reserves must be LCZ.

Since its very pleasant for (older) people in the community to enjoy natural living in peaceful, natural surroundings, and at the same time keeping bushfire levels at low risk, I suggest that K C subsidies landowners, to ensure that this Landscape stays beautifully kept, as achieved over many years by people cultivating, keeping gardens, clearing bush, cutting firewood having livestock around. Some financial aid and support to ensure clearing zones are put into place, to guarantee that the Landscape will continue to be fascinating and community will continue to thrive.

Another useful tip would be to repair a few metres of Britain's road, the continuation of [REDACTED] direction Garden Island Creek, so that in case of fires, occupants of both Gordon and Garden Island Creek, as well as fire fighting personnel, has a chance to survive. I already discussed this with Gideon Cordover, many years ago, as well as with the fire brigade. None were able to do anything about this situation, as they clearly stated and didn't see its importance.

Another last fun fact ; in the early nineties, we, myself and then partner R .Niccolucci applied for a grant, in order to receive some monies to protect anything of great significance, on one's property, such as, valuable flora and fauna, worth preserving in Landscape Conservation Tasmania.

We specifically mentioned the presence of the Swift Parrots, which visited regularly in those days, and have since disappeared. The request was denied on grounds that there were no specific Flora and Fauna to be of any significance or importance.

Yours sincerely

Ineke Severin

SUBMISSION TO THE TASMANIAN PLANNING COMMISSION

Kingborough Local Provisions Schedule

Property: [REDACTED] Gordon TAS 7150
Title Reference: CT [REDACTED]
Current Zone: Environmental Living Zone (KIPS 2015)
Proposed Zone: Landscape Conservation Zone (LCZ)
Sought Outcome: Rural Living Zone D (RLZ D)
Date: May 2026

1. Introduction

This submission is made to the Tasmanian Planning Commission (the Commission) in response to the proposed application of the Landscape Conservation Zone (LCZ) to [REDACTED] Gordon (CT [REDACTED]) under the Kingborough Local Provisions Schedule (LPS) transition process.

The owner objects to the proposed LCZ. This submission sets out the grounds on which the LCZ is not appropriate for this property, and why the Rural Living Zone D (RLZ D) is the correct zone to apply under the Tasmanian Planning Scheme (TPS) and the Section 8A Guideline No. 1 – Local Provisions Schedule Zone and Code Application (Zone Guidelines).

The Commission is asked to apply the **Rural Living Zone D** to CT [REDACTED] in place of the proposed LCZ.

2. Property Description

The property at [REDACTED] Gordon has the following characteristics:

- Area: 40.1 hectares
- Current zone: Environmental Living Zone under the Kingborough Interim Planning Scheme 2015 (KIPS 2015)
- Existing use: Residential dwelling with associated outbuildings and garden
- Planning permit: A permit was granted for a dwelling extension under the KIPS 2015, confirming the residential use is lawfully established
- Vegetation: Cleared around the house and garden area; the balance of the lot ranges from lightly to more heavily vegetated native bush
- Overlays: Priority Vegetation Area (PVA), Scenic Protection Area (SPA), and Waterway and Coastal Protection area
- Settlement context: [REDACTED] is characterised by a mix of dwellings on large rural lots.

The property is a large-lot rural holding on which residential use is long established and lawfully approved. It is not an undeveloped bushland parcel. The grant of a permit for an extension confirms that the primary function of the land is residential.

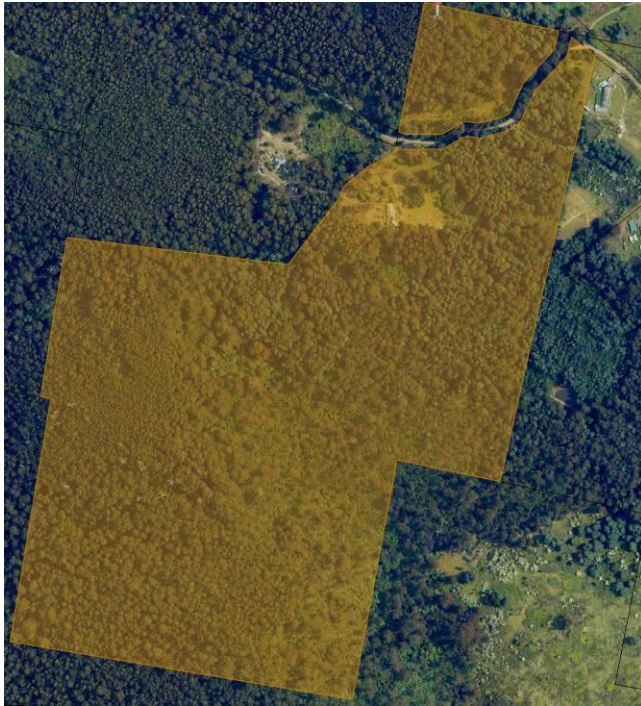


Figure 1. Property at [REDACTED]



Figure 2. Settlement pattern for the area – obvious residential use, large cleared areas

3. The LCZ is Not the Appropriate Zone

3.1 LCZ 4(a) — Residential use is the priority

Zone Guideline LCZ 4(a) states that the LCZ should not be applied to land where the priority is for residential use and development (see RLZ).

This property has an existing dwelling. A planning permit for a building extension has been granted, confirming that residential use is not only occurring but has been formally approved and is expected to continue. The primary purpose of the land is residential occupation in a rural setting. The LCZ is expressly directed away from land with this character.

Ireneinc's own Locality Baseline and Alternative Zone Evaluation (the Locality Report) acknowledges that parts of the Gordon locality show residential uses, noting that some lots have existing residential uses scattered throughout the locality. This property is one of them. That finding triggers the LCZ 4(a) exclusion.

3.2 LCZ purpose is not met

The Zone Guidelines state that the purpose of the LCZ is to provide for the protection, conservation and management of landscape values, with residential use largely being discretionary.

Applying the LCZ to this property would render the existing dwelling a discretionary use under the zone. This creates an unjust and disproportionate outcome for a lawfully established residence. It does not reflect the land's history, its current use, or the intent of the transition from the ELZ.

The Zone Guidelines are explicit: the LCZ is not a large lot residential zone in areas characterised by native vegetation cover and other landscape values. It is not a default successor to the ELZ where residential use is present and established.

3.3 The evaluation framework is not a statutory instrument

The Locality Report and the evaluation framework used by Ireneinc are planning tools to assist the Commission. They are not statutory instruments. The Commission is not bound by the recommendations in the Locality Report, and the Zone Guidelines and the requirements of section 35L(2) of LUPAA take precedence.

The Locality Report for Gordon acknowledges that parcels with some rural living settlement characteristics exist in the locality but were recommended for LCZ primarily due to landscape values. It does not engage with the question of whether those values can be managed through the applicable overlay codes — a step required by RLZ 4(b) of the Zone Guidelines before LCZ can be applied to land with residential use.

The Commission's own hearing delegates have noted that the PVA overlay and Scenic Protection overlay do meaningful work in managing landscape values independent of the zone. This property carries both those overlays. Their operation does not disappear simply because the zone is RLZ rather than LCZ.

3.4 Council's approach was overly broad and did not assess this property on its merits

Ireneinc's review of Council's LCZ application found that Council took a global approach to ruling out the RLZ without considering whether landscape values could be appropriately managed by the relevant codes at a localised scale. The Ireneinc review concluded that, by not examining code provisions in the context of individual ELZ areas, it is possible that some properties recommended for the LCZ could in fact satisfy RLZ 4(b) and be included within the RLZ.

This property is one of those cases. The presence of the PVA, SPA, and Waterway and Coastal Protection overlays means that clearing of native vegetation, building works and development in mapped areas are already subject to permit requirements and performance criteria. These controls manage the landscape values on this land. The risk of transitioning to RLZ D is low, because:

- The PVA overlay requires permit approval for native vegetation clearing beyond an existing building area
- The SPA overlay applies controls to buildings and works where they would affect visible ridgelines or elevated land
- The Waterway and Coastal Protection area applies setback and development constraints near waterbodies
- The RLZ D minimum lot size of 10ha means no further subdivision is permitted from this 40.1ha holding that would reduce lot size below the minimum
- The existing dwelling already occupies the cleared envelope; further residential intensification beyond what is already approved is minimal

Ireneinc's review is clear: consideration of the likelihood and extent of risk must be done at a localised scale, not through a blanket determination. That localised assessment, when applied to this property, supports RLZ D.

4. The Rural Living Zone D is the Appropriate Zone

4.1 RLZ 1 — Residential areas with larger lots

Zone Guideline RLZ 1(a) states 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, but priority is given to the protection of residential amenity.

At 40.1ha, this is a large lot. It has a lawful dwelling. The surrounding [REDACTED] properties share the same character: large rural holdings with dwellings. This is precisely the settlement pattern that RLZ 1(a) describes.

4.2 RLZ 2(b) — Transition from ELZ where primary strategic intention is residential

Zone Guideline RLZ 2(b) provides that the RLZ may be applied to ELZ land where the primary strategic intention is for residential use and development within a rural setting, and a similar minimum allowable lot size is being applied.

The primary strategic intention for this property is residential. A dwelling exists. A permit for its extension has been granted. The land is occupied for residential purposes. No other strategic intention — agricultural, conservation, or commercial — is evident or intended.

RLZ D, with a minimum lot size of 10ha, is the appropriate subcategory. It reflects the scale of existing large-lot rural holdings in this locality. It provides for no further subdivision of the 40.1ha parcel beyond what the minimum lot size permits, which aligns with the Zone Guidelines' requirement that transitioning ELZ to RLZ should not facilitate new or more intense rural living beyond the existing settlement pattern.

4.3 RLZ 4(b) — Landscape values can be appropriately managed

Zone Guideline RLZ 4(b) states that the RLZ should not be applied to land containing important landscape values unless those values can be appropriately managed through the application and operation of the relevant codes.

On this property, the relevant codes are in place and operative:

- The Natural Assets Code (incorporating the PVA overlay) controls clearing of native vegetation and requires discretionary assessment where clearing exceeds approved building areas
- The Scenic Protection Code applies controls to buildings and works in areas affecting skylines and ridgelines
- The Waterway and Coastal Protection provisions apply development setbacks and assessment requirements near waterways and coastal features

These three overlays, taken together, provide a comprehensive suite of controls that manage the landscape values on this property. The risk under RLZ D is low. No further subdivision is possible at the 10ha minimum that would create new lots capable of intensive development. The cleared dwelling envelope is already established. Any new buildings or works in vegetated or elevated areas trigger code assessment.

This satisfies RLZ 4(b). The values can be appropriately managed. The LCZ is not required to achieve that outcome.

4.4 Consistency with surrounding zone pattern

The Zone Guidelines require that zone application should, as far as practicable, be consistent and coordinated with adjacent municipal areas and the surrounding zone pattern.

██████████ has a consistent pattern of large rural residential lots. Applying the LCZ to this property while neighbouring lots of similar character receive a different zone produces an inconsistent and fragmented outcome. The Zone Guidelines and previous TPC modifications to the draft LPS have both identified that isolated or fragmented LCZ application where surrounding land has rural living characteristics is to be avoided.

RLZ D provides a zone outcome that is consistent with the settlement pattern of the immediate locality and with the Zone Guidelines' preference for zoning that reflects the existing character of an area.

5. Response to the Ireneinc Locality Report

The Locality Report for Gordon recommends LCZ for the majority of the locality on the basis of significant natural and scenic landscape values and heavily vegetated corridors connecting the EMZ areas.

The owner does not dispute that the Gordon locality contains landscape values. However, the Locality Report's recommendation for this property does not adequately engage with the following matters:

- The property has an established residential use, confirmed by planning permit, which engages LCZ 4(a)
- The evaluation framework's decision tree requires, where residential use is identified, that the analysis proceeds to consider rural living settlement characteristics and then whether landscape values can be managed under the relevant codes — the Locality Report does not complete this analysis for this specific property
- The three overlays applicable to this property (PVA, SPA, Waterway and Coastal Protection) provide operative management mechanisms that satisfy RLZ 4(b)
- The Locality Report acknowledges that parcels with rural living characteristics exist in the locality; it does not explain why the management mechanisms in place on this property are insufficient to support RLZ D

The Commission is not bound by the Locality Report. The Zone Guidelines impose the statutory standard. On a property-specific application of those guidelines to this property, RLZ D is the correct outcome.

6. No Community Consultation on Landscape Values

Council and Ireneinc rely on STRLUS CV 4.2 and CV 4.3 to justify applying LCZ to ELZ land in preference to RLZ — arguing that LCZ is necessary to ensure the key values of regionally significant landscapes are not compromised by development.

Before CV 4.2 and CV 4.3 can be engaged in this way, the foundational sub-policy CV 4.1 must be satisfied.

CV 4.1 requires State and local government, in consultation with the community, to determine an agreed set of criteria for determining the relative significance of important landscapes and key landscape values. The significance of the landscape values Council seeks to protect through LCZ must first be established through that agreed criteria process.

No independent community consultation on landscape significance criteria has been conducted in Kingborough.

CV 4.1 was designed to address a recognised gap: the STRLUS narrative identifies 'the limited understanding of cultural landscape values and the lack of an overarching policy with respect to determining relative significance' as an existing problem at the time of the strategy's publication. The landscape significance determinations underpinning the LCZ recommendations were made by Council without community input on the criteria used.

The community's assessment of these landscapes, as expressed in exhibition representations, consistently identified residential use as the primary land use and the Scenic Protection, Priority Vegetation and Natural Assets codes as adequate for landscape value protection. That is the only available community evidence on the significance question, and it does not support the criteria Council applied.

7. Conclusion and Relief Sought

For the reasons set out above:

- The LCZ is not appropriate for [REDACTED] Gordon (CT [REDACTED]). It conflicts with Zone Guideline LCZ 4(a) because the primary use of this land is residential.
- The RLZ D is the appropriate zone. It satisfies RLZ 1(a), RLZ 2(b), and RLZ 4(b) of the Zone Guidelines. The applicable overlay codes (PVA, SPA, Waterway and Coastal Protection) provide operative management of the landscape values on this property.
- The existing dwelling, the grant of a permit for a building extension, and the rural living settlement pattern of [REDACTED] all confirm that the primary strategic intention for this land is residential use in a rural setting.
- RLZ D, with a minimum lot size of 10ha, reflects the scale of existing large lots in this locality and does not facilitate further subdivision beyond what is already permitted.

The owner respectfully requests that the Commission apply the **Rural Living Zone D** to CT [REDACTED] ([REDACTED] Gordon) in the Kingborough Local Provisions Schedule.