
From: R Dunbar [REDACTED]
Sent: Monday, 4 May 2026 8:11 AM
To: Kingborough LPS
Subject: Submission for title [REDACTED] Margate

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 respectfully request that the Commission:

1) modify the draft Kingborough LPS so that [REDACTED] Margate (Folio of the Register [REDACTED]) is included in the **Rural Living Zone C**; or

2) if the Commission is not satisfied that RLZ C is the correct subcategory, modify the draft LPS so that the property is included in the **Rural Living Zone under such other RLZ subcategory as the Commission considers appropriate**, rather than the Landscape Conservation Zone.

The grounds for this modification are detailed in my attached submission,

"[REDACTED]_Contest_LCZ_Seek_RLZ.pdf".

I am also one of 14 landowners in [REDACTED] and [REDACTED] who have jointly lodged a collective submission dated 3 May 2026. I have attached a copy of this collective submission, "*Collective_Cover_Submission_[REDACTED] and [REDACTED].pdf*" here.

Yours respectfully,

Ricky Dunbar

WRITTEN SUBMISSION TO THE TASMANIAN PLANNING COMMISSION

Kingborough Local Provisions Schedule — Direction 69 / Ireneinc Report

COLLECTIVE COVER SUBMISSION

Locality	██████████ and ██████████ Margate
Submission type	Collective cover submission — Direction 69 / Ireneinc Report
Number of landowners	14
Lodgement date	3 May 2026
Contact person for this group	Simon Sprent, ████████████████████ ██████████

The following landowners are parties to this collective submission. Majority of landowners have also lodged their own individual submission addressing their specific property.

Full name	Property address	Title reference	Zone proposed (Ireneinc)	Zone sought
Amanda and Sam Thompson	██████████ ██████████	██████████	LCZ	RLZ
Siri ██████████	██████████	██████████	LCZ	RLZ
Zoe Barker	██████████ ██████████	██████████	LCZ	RLZ
James Aherne	██████████	██████████	LCZ	RLZ
Amanda Wass	██████████	██████████	LCZ	RLZ
Ricky and Katie Dunbar	██████████	██████████	LCZ	RLZ
Simon and Bruna Sprent	██████████	██████████	LCZ	RLZ
Yvonne and Sean Conry	██████████	██████████	LCZ	RLZ
Richard and Donna Jupe	██████████	██████████	LCZ	RLZ
Paul and Erica Coull	██████████	██████████	LCZ	RLZ
Ben Woodhouse	██████████	██████████	LCZ	RLZ
Phillip Worsley	██████████	██████████	LCZ	RLZ

Full name	Property address	Title reference	Zone proposed (Ireneinc)	Zone sought
Tim Robertson			LCZ	RLZ
Morris Worsley			LCZ	RLZ

We are a group of neighbouring landowners in the MARGATE locality. We have each received a letter from the Tasmanian Planning Commission (TPC) advising that the Ireneinc report has recommended a zone for our property as part of the Kingborough Local Provisions Schedule (LPS).

We are lodging this collective submission to present our shared position to the Commission. Our properties share a common settlement character and landscape context, and we believe the same zone outcome is appropriate for all of them.

Majority of us have also lodged an individual submission using the appropriate individual template. Those individual submissions contain the property-specific evidence for each title. This collective submission is not a substitute for those individual submissions — it sits alongside them.

The properties listed in Part 2 share the following characteristics. We ask the Commission to have regard to these shared characteristics when considering each of our individual submissions.

Our properties form part of an established residential settlement along McGowans Rd and Old Bernies Rd. The pattern of development includes 14 residential lots, most of which contain a dwelling. This settlement has existed in its current form for up to 16 years.

Majority of Lot sizes in our group range from 4.09ha to 10ha. These lot sizes are consistent with the Rural Living Zone (RLZ)

All 14 properties in our group contain existing dwellings used as permanent residences. Most properties also include hobby farming / grazing / gardens / outbuildings/ water tanks/ orchards. None of the properties are used for commercial agriculture or resource extraction."

Our properties are predominately partially vegetated and contain patches of native vegetation. The vegetation on our titles does not include significant native vegetation that would require LCZ to protect it.

The following overlays apply to majority of our properties, Private Timber Reserve (PTR) these overlays already protect landscape values — they are relevant to the argument in Part 5 below.

Our properties are also covered under SPC and NAC

Our properties are very close to already zoned Rural Living Zone (RLZ) under the draft LPS. The closest one to us is the Kaoota/Pelverata areas. The existing RLZ in Kaoota has larger lot sizes, but the settlement character, and landscape values are consistent to our properties."

The following arguments apply to all properties listed in Part 2. They are presented here as shared arguments so that the Commission can consider them once, rather than across multiple individual submissions. Each signatory's individual submission builds on these shared arguments with property-specific evidence.

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

Zone Guideline RLZ 2(b) further provides that the RLZ may be applied to land within the Environmental Living Zone (ELZ) in an interim planning scheme where the primary strategic intention is for residential use and development within a rural setting, and a similar minimum lot size is applied.

Our properties satisfy both criteria. The shared characteristics described in Part 4 above demonstrate that our properties have an established residential settlement pattern, lots of a size consistent with RLZ subcategories, and a primary use and intention that is residential.

The Ireneinc report itself identifies avoidance of fragmented zone application as a key principle. The report notes that areas where only two or three LCZ-zoned properties are surrounded by Rural Zone or RLZ land should be resolved in favour of the surrounding zone.

Our properties form a coherent, contiguous group. If some of our properties receive a different zone outcome from others — or from the surrounding land — the result will be a fragmented and inconsistent zone pattern. This would be contrary to the Zone Guidelines, which require that the spatial application of zones be, as far as practicable, consistent and coordinated across the LPS.

Our 14 properties are surrounded on the north by land already recommended for [RLZ / Rural Zone]. Applying LCZ to our properties would create an isolated pocket of LCZ within a predominantly RLZ

The Tasmanian Planning Commission is required under section 34(2)(g) of the Land Use Planning and Approvals Act 1993 (LUPAA) to ensure that the spatial application of zones is, as far as practicable, consistent and coordinated. This means the Commission must consider whether our locality has been treated the same way as localities with similar characteristics elsewhere in Tasmania.

We submit that Pelterata/Kaoota is the most comparable locality to ours. Like our properties, properties in Pelterata/Kaoota have shared features — e.g. lot sizes of 2–10ha, established dwellings, similar landscape character, similar overlay coverage. Ireneinc recommended [RLZ / Rural Zone] for this area, and that recommendation was not challenged at the Day 2 hearing. There is no clear basis for treating our locality differently. We request that the Commission apply the same reasoning here.

Kate Heckelmann of Ireneinc confirmed at the Day 2 TPC hearing [05:53:00] that the evaluation framework used to produce the zone recommendations is a tool, not a statutory instrument. It is not the legal test the Commission must apply. The legal test is the LPS criteria set out in section 34 of LUPAA, which include compliance with the Zone Guidelines (Guideline No. 1). The Commission is not bound by the Ireneinc framework or its outputs.

We submit that if the Commission applies the Zone Guidelines directly to the shared characteristics of our properties, as set out in Part 4 above, it will find that [RLZ / Rural Zone] is the appropriate zone. Any departure from the Ireneinc recommendation in our favour is well within the Commission's proper exercise of its statutory role.

Chair Nick Heath confirmed at the Day 2 hearing [06:45:48] that the Commission will decide this matter on the basis of the LPS criteria set out in section 34 of LUPAA. He explicitly noted that Council's position — including its 16 March 2026 resolution favouring the 'least restrictive alternative' — is not binding on the Commission. The Commission will reach its own independent assessment based on the evidence before it, including the evidence in this submission and in each of our individual submissions.

The following comments made by TPC delegates or Ireneinc at the Day 2 hearing on 16 April 2026 are directly relevant to our locality and our submission. We ask the Commission to have regard to these comments.

We collectively request that the Commission:

- Have regard to the shared characteristics and shared arguments set out in this collective submission when assessing each of our individual submissions.
- Organise the hearing for our locality so that our group can present collectively as well as individually, as Chair Heath invited at the Day 2 hearing [06:55:53].

Thank you for your time in reading our submission,

Kind regards

Simon Sprent

On behalf of the landowners on [REDACTED] and [REDACTED], as stated above.

WRITTEN SUBMISSION TO THE

TASMANIAN PLANNING COMMISSION

Kingborough Local Provisions Schedule — Direction 69 / Ireneinc Report

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; however, I understand that the Commission has received correspondence my behalf in relation to the draft LPS. I understand that this letter provides me the opportunity to formally participate in this stage of the LPS process by making a written submission. 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.

PART B — PROPERTY DETAILS

Landowner name(s)	Ricky Dunbar and Katherine Dunbar
Property address	[REDACTED] Margate, TAS, 7054.
Title reference (folio)	[REDACTED]
Lot size (approx.)	4.9 ha
Locality	Margate
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), preferably RLZ C

I make this written submission in relation to the recommendation that my property remain in the Landscape Conservation Zone (LCZ) under the draft Kingborough Local Provisions Schedule (LPS).

I submit that the **Rural Living Zone (RLZ)** is the more appropriate zone for the property, and that the Commission should modify the draft LPS accordingly. My preferred outcome is **Rural Living Zone C (RLZ C)**. If the Commission is not satisfied that RLZ C is the correct subcategory, I submit that the property should nevertheless be placed in **the Rural Living Zone, with such RLZ subcategory as the Commission considers best reflects the existing pattern and density of development in the locality, rather than remaining in the LCZ.**

PART C — STATUTORY AND POLICY CONTEXT

Under sections 35J and 35L of the **Land Use Planning and Approvals Act 1993**, the Commission must consider whether the draft LPS meets the **LPS criteria** in section 34. Those criteria include that the LPS be in accordance with section 32, further the Schedule 1 objectives, be consistent with State policies, and, as far as practicable, be consistent with the regional land use strategy. In this matter, the practical question is whether the exhibited application of the LCZ, rather than the RLZ, properly applies the State Planning Provisions and Guideline No. 1 to this particular property.

Guideline No. 1 is central. It states, relevantly, that:

- the **LCZ** should be applied to land with landscape values identified for protection and conservation, but **should not** be applied to land where the priority is residential use and development; and
- the **RLZ** should be applied to larger-lot residential areas where the existing and intended use is a mix of residential and lower-order rural activities, and may be applied to former ELZ land where the primary strategic intention is residential use and development in a rural setting, with a similar minimum allowable lot size being applied.

It also says the RLZ subcategory should reflect the **existing pattern and density of development** or further strategic justification, and that RLZ should not be applied to land with important landscape values **unless those values can be appropriately managed through the relevant codes.**

PART D — GROUNDS FOR THIS SUBMISSION

1. The LCZ is not the correct zone for this title

The starting point is that LCZ is intended for land whose primary planning role is the **protection, conservation and management of landscape values**. Guideline LCZ 4(a) says LCZ should not be applied where the priority is residential use and development, and the note to LCZ 4 expressly says LCZ is **not a replacement zone for the Environmental Living Zone** and is **not a large lot residential zone**.

The application of LCZ does not fit this title. The property contains an established dwelling, has been continuously occupied for residential purposes, and includes the ordinary physical attributes of a rural residential holding: domestic cleared areas, outbuildings, wastewater servicing, fencing, garden areas, and other incidental residential activity. The relevant question is therefore not whether the land contains any landscape values at all. Many rural residential titles do. The real question is whether the **primary planning intention** of this title is residential use in a rural setting, or instead the protection and conservation of landscape values. On the facts of this property, the primary planning intention remains residential.

The former Kingborough **Environmental Living Zone** is materially closer in policy character to RLZ than LCZ. Under the interim scheme, the ELZ purpose expressly provided for **residential use or development in areas where existing natural and landscape values are to be retained**, and the ELZ use table permitted **Residential** use for a **single dwelling or home-based business**. By contrast, under the current State Planning Provisions, the RLZ use table makes **Residential for a single dwelling** “No Permit Required”, while the LCZ use table only treats a single dwelling as “Permitted” where it is **within a building area shown on a sealed plan**; otherwise, a single dwelling is discretionary in LCZ. That contrast illustrates the different policy priority of the two zones and why LCZ is not the most coherent successor zone for this title.

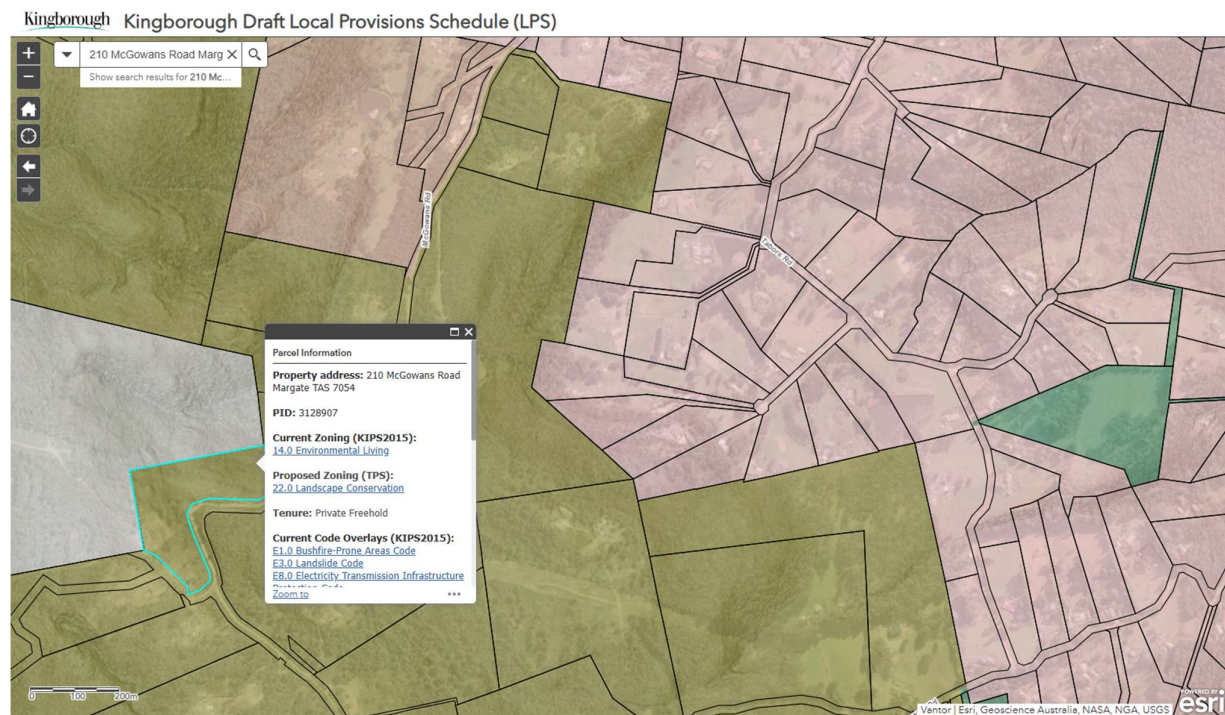


Figure 1: Map showing the property's current zoning (Environmental Living) and proximity to properties with proposed Rural Living and Rural Zones (pink).

2. The property has the character of rural living land, not landscape conservation land

The subject land is an established residential holding in a rural setting (see below figures). It contains an approved dwelling and associated residential infrastructure. There is maintained cleared land around the dwelling, domestic curtilage, outbuildings and ancillary residential activity. Those features are not incidental. They are the actual present use and physical expression of the property.

Part of the title is also affected by a substantial **electricity infrastructure easement**, and part of the land is identified as **Private Timber Reserve** land. Those matters do not, by themselves, determine zoning. They do, however, show that the title is not a homogeneous area of intact bushland whose defining planning purpose is the conservation of landscape values across the whole lot. They reinforce that the land is mixed in character and already managed as a working rural residential holding.



Figure 2: Imagery date: 21st March 2021. Note the cleared area to the South-East of the dwelling.

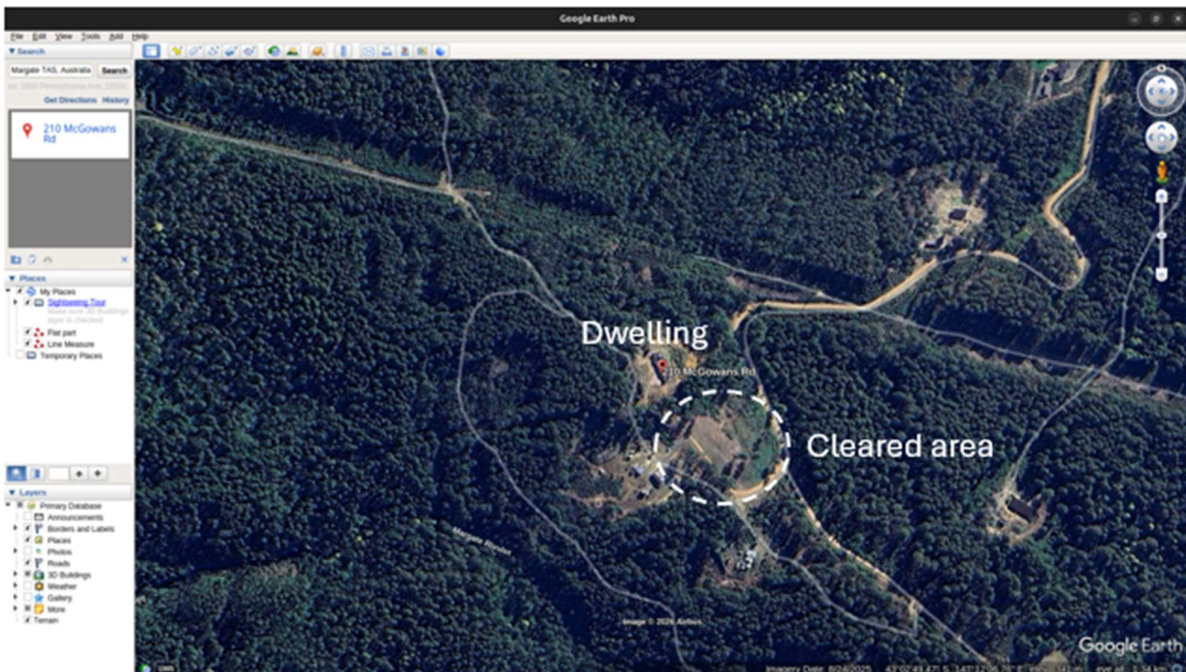


Figure 3: Imagery date: 24th August 2025. Note the area to the South-East of the dwelling has been maintained in a clear state.



Figure 4: Photo, taken April 2026, showing the view from the driveway towards the cleared land.



Figure 5: Photo, taken April 2026, of the cleared land and the site of the planned garden beds.



Figure 6: A photo taken in April 2026 showing evidence of residential use of the property. The woodshed, compost bins and chicken coop are labelled.

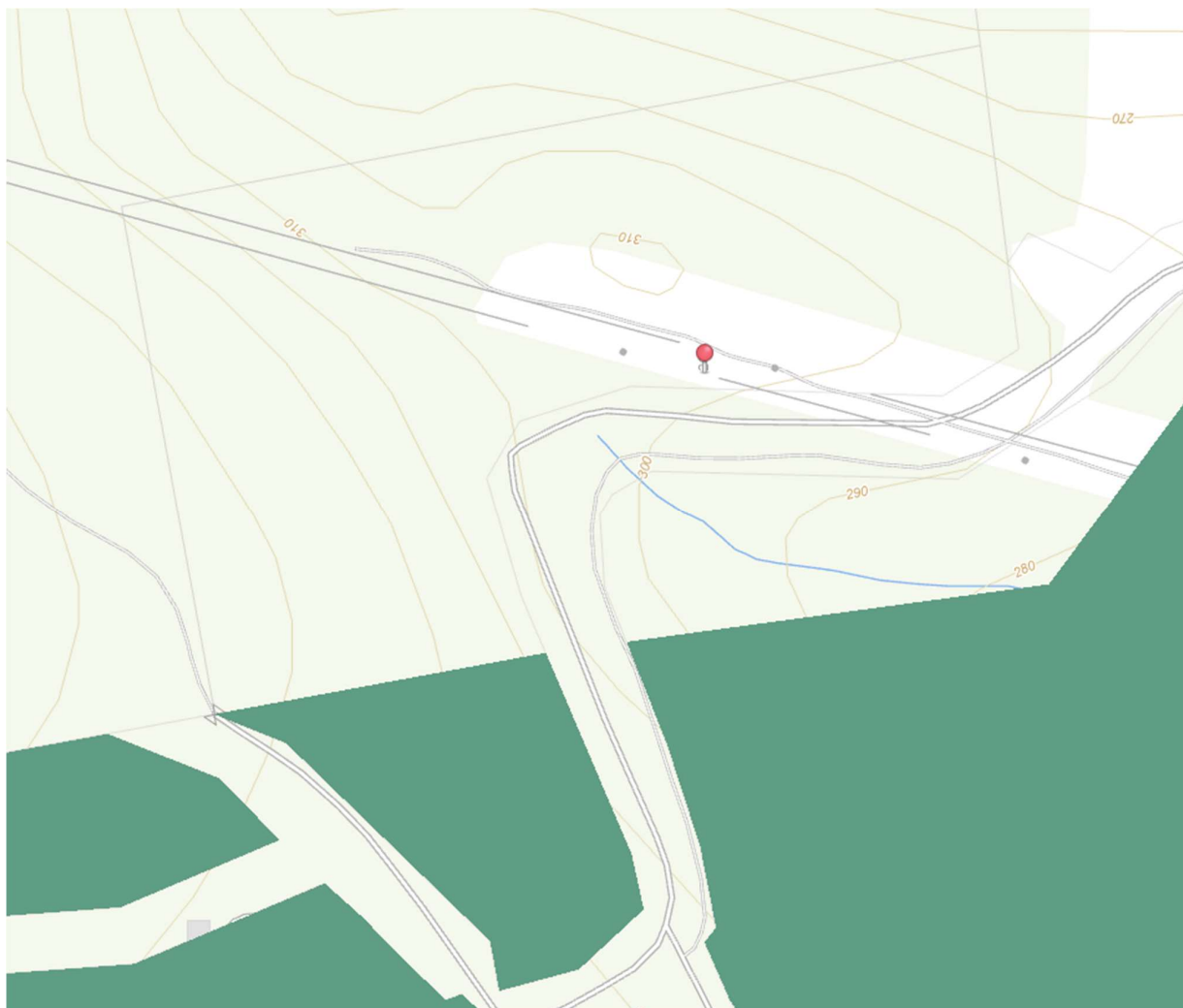


Figure 7: An overlay showing the Private Timber Reserve on the Southern part of my property and adjacent properties.

Figure 8: Plan of Survey showing electricity infrastructure easement occupying a significant portion of my property.

Figure 9 and Table 1 demonstrate that the locality is characterised by **settled rural residential development**, not predominantly by undeveloped landscape-conservation land. The assessed lots are all clearly identifiable as **rural residential** in character, nearly all are developed with dwellings, and all show cleared land and/or outbuildings consistent with ongoing residential occupation and lower-order rural use. My property shares that same pattern and, at **4.9 ha**, sits naturally within the locality's established lot-size range. In that context, the property is more appropriately recognised as **Rural Living** land than as **Landscape Conservation** land.

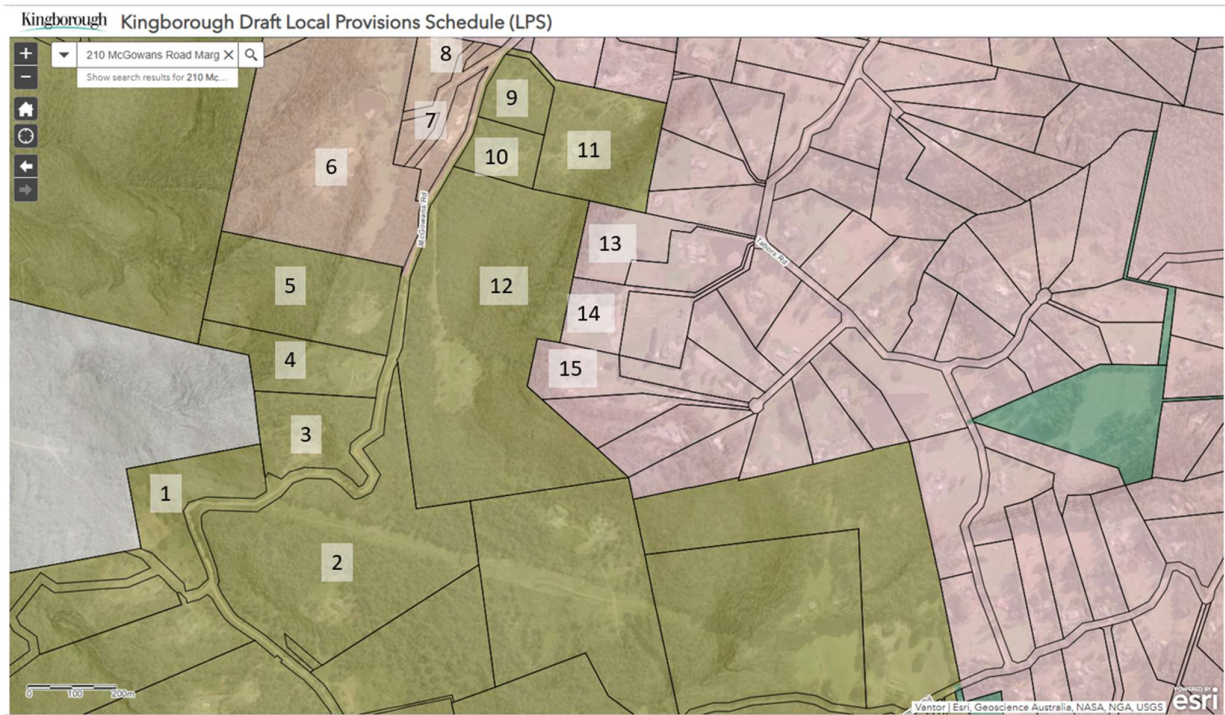


Figure 9: Locality comparison map of the [redacted] area and surrounds.

WRITTEN SUBMISSION TO THE TASMANIAN PLANNING COMMISSION

Kingborough Draft Local Provisions Schedule

Property: [REDACTED] Margate (Folio of the Register [REDACTED])

Number (in Figure 9)	Title	Lot area (ha)	Dwelling present	Visible cleared land/outbuildings	Exhibited draft zone	Notable over- lay/constraint (proposed)	Settlement character
1	[REDACTED]	4.9	Yes	Yes	LCZ	ETIPA, PVA, SPA,	Rural residential
2	172702/1	18.15	Yes	Yes	LCZ	ETIPA, WCPA, PVA, SPA,	Rural residential
3	162424/3	4.13	Yes	Yes	LCZ	ETIPA, WCPA, PVA, SPA	Rural residential
4	172702/2	4.09	Yes	Yes	LCZ	WCPA, PVA, SPA	Rural residential
5	234074/1	8.37	Yes	Yes	LCZ	WCPA, PVA, SPA	Rural residential
6	29452/3	19.04	Yes	Yes	Rural	WCPA, PVA, SPA	Rural residential
7	241566/2	1.90	Yes	Yes	Rural	PVA, SPA	Rural residential
8	16110/1	1.67	Yes	Yes	Rural	WCPA, PVA, SPA	Rural residential
9	19469/1	2.03	Yes	Yes	RLZ*	PVA, SPA	Rural residential
10	19469/2	2.03	Yes	Yes	RLZ*	PVA, SPA	Rural residential
11	17437/3	6.67	Yes	Yes	RLZ B LCZ	PVA, SPA	Rural residential
12	137431/2	24.94	Yes	Yes	LCZ	WCPA, PVA, SPA	Rural residential
13	181828/1	2.98	No	Yes	RLZ B	WCPA, PVA, SPA	Rural residential
14	130846/2	2.32	Yes	Yes	RLZ B	WCPA, PVA, SPA	Rural residential
15	21423/22	2.82	Yes	Yes	RLZ C	WCPA, PVA, SPA	Rural residential

Table 1: Locality comparison table, with references to property numbering from Figure 9

* Currently listed as LCZ on <https://kingborough.maps.arcgis.com/>, but community channels report that the new proposed zoning has recently switched to RLZ. The same community channels also report that the

proposed zoning for property 11 has been switched to RLZ, which is consistent with current information on <https://kingborough.maps.arcgis.com/> where RLZ B/LCZ split zoning is reported.

PVA = Priority Vegetation Area, SPA = Scenic Protection Area, ETIPA = Electricity Transmission Infrastructure Protection Area, WCPA = Waterway and Coastal Protection Area

4. RLZ is the zone that best applies Guideline No. 1 to this title

The property satisfies the substance of **RLZ 1(a)**. It is part of a larger-lot residential area. The existing use is residential. The surrounding settlement pattern includes lower-order rural activity of the kind expected in rural living areas. Protection of residential amenity, rather than conservation as the dominant end in itself, is the appropriate planning priority.

The property also fits the logic of **RLZ 2(b)**. It is currently **ELZ** land. The primary strategic intention of the title is residential use and development within a rural setting. That is shown not only by present occupation, but also by the original ELZ purpose itself, which provided for residential use while retaining natural and landscape values. The issue is therefore not whether the land should move from ELZ to some wholly different policy setting, but which current zone most closely corresponds to an already-established residential-in-rural-setting planning outcome. On that question, RLZ is the closer fit.

I accept that not all former ELZ land must become RLZ. Guideline LCZ 2(c) allows LCZ to be applied to former ELZ land where the **primary intention** is the protection and conservation of landscape values. I submit that this property is not in that category. The existence of some vegetation, scenic values or code overlays does not, of itself, make landscape conservation the primary strategic intention of the title. For this title, the primary intention remains residential occupation in a rural setting.

5. RLZ C is the preferred subcategory

The preferred RLZ subcategory is **RLZ C**.

That is because RLZ 3 requires the subcategory to reflect the **existing pattern and density** of development in the area. My property is approximately **4.9ha** with the closest neighbours by property frontage ([REDACTED] and 162424/6) having areas of 6.39 and 8.16 ha, respectively. RLZ C, at **5ha**, is therefore the closest and best reflection of that development pattern. RLZ B would understate the prevailing lot size pattern and would be less effective at maintaining the existing settlement density.

The request for RLZ C is also not artificial or purely mathematical. Under clause 11.5.1, the SPPs set RLZ C at **5ha**, but the RLZ subdivision performance criterion allows a lot to be **up to 20% smaller** than the applicable nominal size where the lot still has sufficient usable area and dimensions for its intended use. That does not control the zoning decision by itself, but it confirms that the 5ha figure is not inflexible in operation and that a 4.9ha title sits very close to the RLZ C framework.

I acknowledge that the former ELZ subdivision control in the Kingborough interim scheme was framed differently, namely as **no more than 1 lot per 10ha** in most cases. I do not submit that RLZ C is a perfect numerical replication of that former control. Rather, I submit that the zoning question now is which current zone and which RLZ subcategory best fits the actual existing settlement pattern and policy character of this locality. On that issue, RLZ C is the better fit than RLZ B, and both are more appropriate than LCZ.

For that reason, I seek **RLZ C as the preferred outcome**, but I also submit that if the Commission is not persuaded on RLZ C specifically, the proper response is not to leave the property in LCZ. It is to apply **another RLZ subcategory** that the Commission considers appropriate.

6. Any landscape values can be managed without LCZ

Guideline **RLZ 4(b)** is important. It says RLZ should not be applied to land containing important landscape values identified for protection and conservation **unless those values can be appropriately managed through**

the relevant codes. In other words, the existence of landscape values does not automatically require LCZ. The question is whether code-based management is sufficient, or whether the zone itself must give primacy to conservation.

Approximately twenty percent of my property is set aside as a conservation area. My title is also affected by overlay controls, including vegetation/scenic controls. I do not ignore these details. To the contrary, I submit they are the appropriate mechanism to manage any remaining landscape values on the land. This is exactly the type of situation contemplated by RLZ 4(b): land with some landscape values, but where those values can be addressed by the relevant codes while the underlying zone still recognises the land's true strategic function as rural residential land.

This point is reinforced by the actual physical condition of the title. The land includes an established dwelling, managed curtilage, cleared areas, an infrastructure easement, and other features that show the title is not being planned for as an undisturbed or primarily conservation-focused parcel. The proper planning response is to apply the **RLZ** and let the overlays do the work they are designed to do.

PART E — ADDITIONAL COLLECTIVE SUBMISSION

In addition to this submission, which provides arguments specific to my property, I am lodging a collective submission. I am one of 14 landowners in McGowans Rd and Old Bernies Road who have jointly lodged a collective submission dated 3 May 2026. I adopt the arguments in that collective submission and incorporate them into my individual submission by reference.

I attach a copy of this collective submission, "*Collective_Cover_Submission_McGowans Rd and Old Bernies Rd.pdf*" here.

PART F — CONCLUSION AND RELIEF SOUGHT

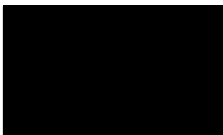
For the reasons above, I submit that the continued application of the **Landscape Conservation Zone** to this property is not the correct application of Guideline No. 1 or of the State Planning Provisions to the facts of this title.

The property is current ELZ land with an actual and continuing strategic function of **residential use and development within a rural setting**. It forms part of an existing larger-lot rural residential locality. The RLZ is the zone that best reflects that planning reality. Remaining landscape values, to the extent they exist on the land, can be appropriately managed through the relevant overlay controls and code provisions rather than by imposing LCZ as the dominant zoning outcome.

Accordingly, I respectfully request that the Commission:

1. modify the draft Kingborough LPS so that [REDACTED] Margate (Folio of the Register [REDACTED]) is included in the **Rural Living Zone C**; or
2. if the Commission is not satisfied that RLZ C is the correct subcategory, modify the draft LPS so that the property is included in the **Rural Living Zone under such other RLZ subcategory as the Commission considers appropriate**, rather than the Landscape Conservation Zone; and
3. provide me with an opportunity to respond if the Commission is considering a materially different outcome.

Yours faithfully,



Ricky Barelli Dunbar

WRITTEN SUBMISSION TO THE TASMANIAN PLANNING COMMISSION

Kingborough Draft Local Provisions Schedule

Property: [REDACTED] Margate (Folio of the Register [REDACTED])

Date: 2nd May 2026

Email address: [REDACTED]

PART G — ACRONYMS / TERMS USED IN THIS SUBMISSION

Acronym/Term	Meaning
ELZ	Environmental Living Zone
Ireneinc report	Review of the LCZ Kingborough (Review of the Methodology and Zone Application and Locality Baseline and Alternative Zone Evaluation)
LCZ	Landscape Conservation Zone
LPS	Draft Kingborough Local Provisions Schedule
LUPAA	Land Use Planning and Approvals Act 1993
NAC	Natural Assets Code
PVA	Priority Vegetation Area
RLZ	Rural Living Zone
SAP	Specific Area Plan
SPA	Scenic Protection Area
SPC	Scenic Protection Code
STRLUS	Southern Tasmania Regional Land Use Strategy
TPC	Tasmanian Planning Commission
Zone Guidelines	Guideline No. 1 — Local Provisions Schedule: Zone and Code Application