

---

**From:** sarah truffitt [REDACTED]  
**Sent:** Sunday, 3 May 2026 11:19 PM  
**To:** Kingborough LPS  
**Cc:** Mathias Argus Bond  
**Subject:** DOC/26/36829

Mr. Nick Heath

Delegate(Chair)

Tasmanian Planning Commission

Re: Title [REDACTED]. Birchs Bay

Dear Mr. Heath,

Thank you for your invitation to make a submission in response to the Ireneinc report.

I disagree with the recommended zone for title [REDACTED] in the Ireneinc report and still request the TPC consider the more appropriate RLZ be applied and stand by all the reasons outlined in my original representation .

After reviewing the Ireneinc report and attending the hearings online 14-15/4/26

I have further concerns regarding the application of natural justice and adherence to guidelines and statutory obligations by Kingborough Council.

It appears that the property has been included in a cluster for collective consideration as LCZ3 .

I am unsure of the methodology for differentiating a cluster of properties suitable for LCZ rather than as an RLZ settlement .

Particularly in the case of [REDACTED] where every one of our adjoining neighbors already have residential dwellings where they are actively practicing rural living activities. One next-door neighbour

(whose property was subdivided from our original grant) is recommended to remain RZ and is undertaking tourism and farming activities directly opposite our road frontage.

The obvious signs of farming , hobby farming, all kinds of settlement activities including tourism , a distillery and cheesery , in the absence of a definition of agreed criteria of landscape values (CV4.1) could be considered to contribute to the rural landscape values of Devlyn's road. The protection of which would be best managed by the application of RLZ with codes and overlays already existing to provide any extra protection of landscape values.

The Ireneinc report outlines the methodology used in assessing properties for zoning using the 'decision tree'

Unfortunately this process has substantial flaws that have resulted in the planning authority failing to meet their statutory obligation under section 65A of LUPAA . This failure is both confirmed in the Ireneinc report , and further clarified by Kate Heckleman at the hearings on 14 -15 April 2026 where she confirms collective consideration that is not "lot by lot" .

Further confirmation of this failure is shown in Correspondence I have received from Deleeze Checuti / Director Environment, Development and Community on .August 20,2025 , Where Ms. Checuti could not confirm that CT: [REDACTED] had been individually assessed with regard to the duplicate address mix up discussed in my representation.

"In relation to the zoning of property in which your representation relates to at [REDACTED] (PID [REDACTED] (CT: [REDACTED])), it is currently zoned Environmental Living under the Kingborough Interim Planning Scheme 2015 and is proposed to be Landscape Conservation Zone. This is the same for the other property incorrectly referenced. This means that your representation still would have been considered by staff in the same way when developing the s35F report for the Commission."

The Ireninc. report also did not reference or reply to the proven strategic intent and historical use provided in my representation - It seems that neither the Ireneinc report nor the Director of Environment, Development and Community Have considered the continued use of this property , where the continued use and strategic intent of residential use and small scale primary production was shown clearly -

"The Primary Industries zone referred to in your correspondence was the zoning of the property in the previous planning scheme (Kingborough Planning Scheme 2000). The zoning changed to Environmental Living when the Interim Scheme was introduced in 2015." -Deleeze Checuti / Director Environment, Development and Community .August 20,2025 Email

The primary industry that I was referring to was not the prior LGA zoning, but the fact that the property is classed as primary production land (Doc ref: 18/36044 , 8 March 2018 ) with current use backdated to 2016. Evidence of continued use . A copy of this document is attached to my representation.

The primary and established intention for this property is clearly as a residential hobby farm . I respectfully request that The Tasmanian Planning Commission consider my submission that either RLZ(a) or (b) is the most appropriate and fair zone to be applied to this property .

Your Sincerely,  
Sarah Triffitt for  
Mathew Bond  
Landowner