
From: Alonso Moralescortes [REDACTED]
Sent: Sunday, 3 May 2026 9:09 PM
To: Kingborough LPS
Subject: Contest LCZ Retention seeking Rural Living Zone.
Attachments: T1_Contest_LCZ_Seek_RLZ - Alonso.docx; Attachment_A 40591-8.docx

Kind Regards
Alonso Morales-Cortes

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 from me or on 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.

Landowner name(s)	Alonso Morales-Cortes
Property address	██████████ Tinderbox
Title reference (folio)	██████
Lot size (approx.)	2.2ha
Locality	Tinderbox
Current IPS zone	Environmental Living
Draft LPS exhibited zone	Landscape Conservation Zone
Ireneinc recommended zone	Landscape Conservation Zone (LCZ) — unchanged
Zone sought in this submission	Rural Living Zone (RLZ) B

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 B (minimum lot size 2 ha) — reflecting the existing lot pattern in my locality

This is consistent with the size of properties within this part of Tinderbox, and the adjoining Blackmans Bay and Howden areas, particularly those within the original subdivision that my property is part of, which are all around 2 - 2.5ha.

PART D — GROUNDS FOR THIS SUBMISSION

D1 — The LCZ does not comply with the Zone Guidelines (Guideline No. 1 / s.34 LUPAA)

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.

D1.1 — The Zone Guidelines prohibit LCZ where priority is residential (LCZ 4(a))

Zone Guideline LCZ 4(a) provides that the LCZ should NOT be applied to land where the priority is for residential use and development, instead indicating that the RLZ should be referred to. The Zone Guidelines further note explicitly that 'the LCZ is not a large lot residential zone, in areas characterised by native vegetation cover and other landscape values.'

My property has been used for residential purposes throughout the period it has been zoned Environmental Living Zone (ELZ) under the Kingborough Interim Planning Scheme 2015. During my tenure, the primary use and strategic intention of the land is and has always been residential.

The property has been a residential site, among similar residential properties, since the dwelling was constructed in 1994. Significant infrastructure is in place for access to all parts of the property, including a 300m long road, multiple outbuildings and 5 water tanks. The majority of the property has been kept "cleared" with little to no understorey across most of the space, to allow for residential activities including the keeping of stock, which has historically been prevalent. There is no evidence that the primary use of this property is anything other than residential.

D1.2 — The LCZ is not a replacement zone for the ELZ (Zone Guidelines note)

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 Locality Report from Ireneinc does not identify any specific landscape values on my title. It is obvious that the assessment was made based on locality, or postcode, rather than specifics. The property 100m to my north is in the Blackmans Bay postcode (one property separates us), and has been proposed to be rezoned to RLZ, along with dozens of other nearby neighbours who are also in the Blackmans Bay postcode, yet whose properties have the same size, appearance and residential use as my property. On my western boundary, there is a public reserve that spans roughly 100 metres. Immediately bordering that are properties that are also being moved to RLZ. We are bordered on two sides by properties that are in different "suburbs" and where RLZ is proposed. My property has been selected for LCZ due to its postcode, not because of any landscape values identified specifically.

D1.3 — The RLZ is the appropriate zone under the Zone Guidelines (RLZ 1 and RLZ 2(b))

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, with priority given to the protection of residential amenity. This description accurately characterises my property.

Zone Guideline RLZ 2(b) further provides that the RLZ may be applied to land within the 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 allowable lot size is being applied. My property satisfies both elements of this criterion.

My lot is 2.2ha in size. It has a covenant on the title that already prohibits further subdivision; however, RLZ B would further assure that any further subdivision would not be possible, as a minimum lot size of 2ha would not allow separation of my title.

D2 — The Ireneinc evaluation framework, applied correctly to my property, supports RLZ

The Ireneinc report applies an evaluation pathway (decision tree) to determine the appropriate zone. The Commission was told at Day 20 of the hearing that this framework is not a statutory instrument — it is a tool, not a rule [Kate Heckelmann, Transcript Day 20, 05:53:00]. Representations can depart from it with good evidence. However, I submit that even applying the framework as intended, my property satisfies the criteria for RLZ rather than LCZ.

D2.1 — My property has a strategic residential intention

The first decision point in the Ireneinc evaluation pathway asks whether there is a strategic intention for residential use. The report identifies visual evidence of existing residential use and known strategic intention as the relevant indicators. My property clearly satisfies this criterion.

The property is accessed from the street by a red gravel driveway leading through a natural environment. The site includes a designated car parking area, a small shed, and a driveway continuing uphill to the residence.

Satellite imagery clearly identifies the access driveway, residential dwelling, water tanks, native gardens, and established native tree plantings.

I purchased the land following subdivision in the 1990s for the purpose of building my home. Since that time, the property has been maintained in a safe and orderly condition, with clear space surrounding the dwelling. Care and respect have always been given to preserving the natural environment and protecting local wildlife. A clear Sign of residential activity.

D2.2 — My property has the characteristics of a rural living settlement

The Ireneinc framework identifies rural living settlement characteristics as: at least 10 smaller blocks generally ranging in size between 1–15 ha with a consistent lot pattern; a consistent pattern of detached dwellings with associated outbuildings; and visual evidence of rural activities (cleared areas, hobby farming, grazing etc.). The Ireneinc report's own locality baseline confirms that the broader settlement in which my property sits displays these characteristics.

My property exists along the section of [REDACTED] closest to the Blackmans Bay suburban area. I am the second property in the Tinderbox postcode area, bordering on Blackmans Bay to the north and Howden to the west. Within this 2km stretch of road from my driveway back to the high density part of Blackmans Bay, there are approximately 20 properties of a similar nature, all of which are being recommended as RLZ. Due to the consistent nature of settlement in the area: houses on similar lot sizes (mostly 2-3ha), visible rural activity such as dams, grazing stock, cleared pasture/scrubby native grass areas amongst native tree canopies, orchards, sheds and with the regular sound of chainsaws, tractors, brushcutters, it is clear that there is a rural living settlement in this area, and that it does not stop 50m from my boundary.

D2.3 — The identified landscape values can be managed outside of LCZ

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 Biodiversity Protection Area and a Bushfire Prone Area. My title also refers to a covenant that does not permit the removal of tress without permission. These overlays already provide for management of landscape values that may be present, without the necessity for LCZ restrictions.

D2.4 — The RLZ subcategory provides for limited or no further subdivision

The Ireneinc framework identifies as a key RLZ suitability indicator that the transition 'would result in limited/no further subdivision' and that 'a similar minimum allowable lot size is being applied.' Applying RLZ B to my property achieves this outcome, as the minimum lot size under that subcategory is consistent with the existing lot size and does not create a viable subdivision pathway.

At 2.2ha, under RLZ B (minimum lot size of 2ha) my property would not be able to be further subdivided, thus protecting the density of development.

D3 — The TPC panel's own statements support RLZ for properties like mine

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.

D3.1 — The evaluation framework is not a statutory instrument

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.

D3.2 — Risk ratings are judgement calls, not defined thresholds

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.

Ireneinc report rates the transition of land in Tinderbox East as high risk. I believe this rating is inaccurate when considering my property, as the property already has significant evidence of development, whilst also having restrictions on its title to the number of dwellings (it is restricted to just one); the location of said dwelling (the rear setback is around 50m, which precludes building further up the hill towards the skyline) as well as an inability to further subdivide or to remove trees without council approval. There is a very low risk that any, as yet unidentified and undescribed, landscape values on this property could be lessened with these restrictions already in place.

D3.3 — Visible rural activity is not required for RLZ

The TPC panel confirmed at Day 20 that visible rural activity is not a prerequisite for RLZ. This was applied consistently across multiple localities including Howden, Albion Heights, and Kingston West [Day 20 guide]. Properties need not demonstrate active farming or grazing to satisfy the RLZ criteria — residential use in a rural setting is sufficient.

D3.4 — Analogy to accepted RLZ localities

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 Tinderbox East is bordered nearby to the north and north east by Blackmans Bay properties that are proposed to become RLZ. To the west and south west, excepting a small section of Environmental Protection Zone, properties are also being proposed as RLZ. Other than the postcode, my property is no different in appearance, size, nature or use to the majority of these.

D4 — Consistency and fragmentation arguments

D4.2 — Inconsistency with adjoining or comparable properties

The Zone Guidelines require that the spatial application of zones be, as far as practicable, consistent with and coordinated across the LPS. Where neighbouring properties with substantially similar characteristics have been recommended for RLZ, the application of LCZ to my property is inconsistent and not supported by evidence of any material difference.

My lot is to a large degree surrounded by properties proposed for RLZ. It would not be inconsistent to be zoned as RLZ, due to the large number of RLZ properties in the surrounding areas (likewise, with the other properties nearby). No particular assessment was made when deciding that LCZ was more appropriate for my property, other than drawing a line based on suburb name/postcode.

Along with the proximity of these RLZ-proposed properties, there is little to no difference in the potential landscape values. We share the same appearance, development history, vegetation cover and residential amenity, with the only difference being my suburb name and/or postcodes.

D5 — Council's approach has been historically inconsistent

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.

D6 — Any landscape values present can be managed without LCZ

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.

As previously mentioned, there are a number of overlays and title-based restrictions that mean the landscape values on my property can be managed, in conjunction with the effect of RLZ zoning, such that risk is at a bare minimum.

D7 — Inconsistency in the Ireneinc evaluation framework (Attachment A)

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, Tinderbox East section, the comparison with Howden and Blackmans Bay shows that Ireneinc applied near-identical landscape value descriptions and settlement findings to both localities, yet recommended LCZ for Tinderbox East and RLZ for Howden.

The absence of Scenic Protection Area overlay has been cited by Ireneinc as generating risk of higher building and development in Tinderbox East - yet my property is already under the Scenic Protection Area overlay, as well as being within the Priority Vegetation Area. Howden was recommended for Rural Living Zone at partial SPA coverage, and Kettering West (Groombridges) was recommended for Rural Living Zone after TPC delegates identified an issue and the concession that PVA overlay does the landscape-protection work. There is no need to apply a stricter zone to my property, as I am already under a number of overlays that already provide the required protections.

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.

PART F — CONCLUSION AND RELIEF SOUGHT

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 [specify subcategory A/B/C/D];
- 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], Tinderbox, be included within the Rural Living Zone (B) in the Kingborough Local Provisions Schedule.

Signed:	Date: 1/5/2026
Alonso Morales- Cortes	Contact email [REDACTED] [REDACTED]
Full name: Alonso Morales-Cortes	

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

ATTACHMENT A

Inconsistency Analysis — Ireneinc Zone Evaluation

⚠ DEADLINE: Submissions must be lodged by midnight Monday 4 May 2026. Complete, sign and attach this cover note as the first page of Attachment A to your submission. Delete all amber instruction boxes before attaching.

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 Baseline 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	Alonso Morales-Cortes
Property title reference	[REDACTED]
Locality	Tinderbox (East)
Submission template used	Template T1 — Contest LCZ, seek RLZ
Date of attachment preparation	1st May, 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
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
Residential settlement	Tinderbox West	The two areas are identical: same road, same peninsula, same settlement type - LCZ application is not consistent with Tinderbox West
Residential settlement	Blackmans Bay (full RLZ)	Identical areas, same density of housing, same outlook, same landscape values, close proximity. The only difference is postcode. LCZ application is not consistent with nearby Blackmans Bay.
Absence of Scenic Protection	Kettering East and Oyster Cover	Kettering East and Oyster Cove has partial SPA coverage yet was recommended for full RLZ. This shows inconsistent application of LCZ in Tinderbox East, as it is very similar in settlement nature and proximity to waterways. My property is actually one of those already under SPA, with that

		justification being entirely irrelevant to our property (and many others in Tinderbox East on the top side of [REDACTED]), any way.
--	--	---

10. Tinderbox [Channel Region]

Ireneinc outcome: West side → full RLZ. East side → LCZ retained. TPC Day 20: East — 'locality where TPC delegates asked the most questions about the LCZ justification' [00:35:10–00:47:04]. Delegate Probert at [01:06:52–01:08:25] directly stated the landscape descriptions are near-identical and the only difference is the risk profile — which Ireneinc was then challenged to explain.

Characteristic	Tinderbox East — LCZ retained	Tinderbox West — Full RLZ	Howden & Blackmans Bay — Full RLZ
Ireneinc landscape value description	'Elevated bushland... vegetated ridgeline... dwellings nestled into vegetation... scenic backdrop... residential settlement pattern closely follows natural topography' — IDENTICAL language to west side	Identical landscape value language — same peninsula, same vegetation type, same topographic character, same coastal setting	'Distinctive vegetated ridgeline landscape characterised by residential settlement pattern... native bushland present throughout... dwellings often screened by retained vegetation' — same language, different locality
Settlement characteristics found	Yes — residential settlement along Tinderbox Road; lots 1–10 ha; dwellings with outbuildings; recognisable pattern	Identical — same road, same peninsula, same settlement type	Yes — lots 1–5 ha; consistent pattern; framed by reserves to north and south
Lot sizes	1–10 ha (with 2 large northeastern lots noted as outliers)	1–10 ha	1–5 ha (majority)
SPA coverage	NO — absent on eastern coast	YES — Scenic Protection Area covers western peninsula	Partial — not full SPA coverage
PVA / NAC overlay	Yes	Yes	Yes
Risk rating applied	Medium-high → LCZ	Low-medium → RLZ	Medium → RLZ
DP6 — codes manage landscape values?	NO — 'potential for increased height associated with extensions or new builds to become more visible'; SPA absent means no code control on height	YES — SPA provides height control; 'low risk where RLZ is applied'	YES — 'codes and min lot size manage values; low risk'; SPA only partially present — same as east Tinderbox in areas
Key differentiator cited	Absent SPA on east coast; higher building height allowance in RLZ vs LCZ; two large northeastern lots reduce settlement consistency	SPA present; western development less visually prominent from water	Residential settlement character predominates; codes sufficient
TPC challenge	Delegate Ford [00:35:14]: 'Specifically, what cannot be managed through those codes?' Delegate Probert [01:07:48]: 'One we say they can be managed and the other one we say they can't — what we really need to say is the difference between those two'	Recommended by Ireneinc without challenge	Recommended by Ireneinc without challenge

Zone outcome for Tinderbox East	LCZ retained	△ INCONSISTENCY: This is the starkest inconsistency in the entire Ireneinc report. Delegate Probert's own words from the hearing [01:07:48] confirm it: identical landscape value descriptions, identical settlement characteristics, and both sides of the same peninsula — but opposite zone outcomes. The sole cited differentiator is the absence of SPA on the eastern coast. However Howden & Blackmans Bay, which has PARTIAL SPA coverage (not full), also was recommended for Rural Living Zone at medium risk. The SPA-absence argument is not applied consistently.
--	---------------------	---

11. Howden & Blackmans Bay [Channel Region]

Ireneinc outcome: Full ELZ → RLZ. Ireneinc recommendation at Day 20: without challenge [00:59:00–01:03:00]. This is the primary RLZ precedent for the Channel Region.

Characteristic	Howden & Blackmans Bay — Outcome: Full Rural Living Zone — best comparison for your area	Tinderbox East — Outcome: LCZ retained
Ireneinc landscape value description	'Native bushland, towering Eucalyptus trees; distinctive vegetated ridgeline landscape characterised by residential settlement pattern; dwellings often screened by retained vegetation; elevated topography provides scenic views'	Near-identical language: elevated bushland; vegetated ridgeline; dwellings nested in vegetation; scenic backdrop — Delegate Probert confirmed descriptions are 'very similar' [01:07:21]
Settlement characteristics found	Yes — lots 1–5 ha; consistent pattern; located between Blackmans Bay and Howden settlements	Yes — residential settlement along [REDACTED]; lots 1–10 ha; same peninsula structure
Lot sizes	1–5 ha (majority); 2 parcels ~10–16 ha	1–10 ha; 2 large northeastern lots noted
SPA coverage	Partial — not full coverage	NO SPA on east coast
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium — Ireneinc recommended Rural Living Zone	Medium-high — used to justify LCZ
DP6 — codes manage landscape values?	YES — 'sufficient mechanisms in the planning scheme... low risk where RLZ is applied'	NO — 'increased height could become more visibly prominent; SPA absent'
Key differentiator	None explained — landscape descriptions are near-identical; Howden simply described as having 'more prevalence of residential feel' [Transcript 01:11:56]	Two large northeastern lots reduce settlement consistency; SPA absent
TPC challenge	Recommended by Ireneinc without challenge	Delegate Ford: 'Specifically what cannot be managed through those codes?' — direct challenge to the LCZ justification
Zone outcome for Howden & Blackmans Bay	Full RLZ — consistent	⚠ INCONSISTENCY: This locality is the most useful comparison for the Channel Region. Its consistent use as an similar comparison in submissions is supported by Delegate Ford's Day 20 challenge to the Tinderbox East LCZ justification and Delegate Probert's explicit statement that the landscape descriptions are near-identical. Howden was recommended for Rural Living Zone with partial SPA coverage — the same coverage level cited as insufficient in Tinderbox East.

14. Kettering East & Oyster Cove [Channel Region]

Ireneinc outcome: Full ELZ → RLZ — largest LCZ retreat of Day 2. Ireneinc recommendation at Day 20: immediately [02:04:40–02:12:25]. This is the primary RLZ precedent for the southern Channel Region.

Characteristic	Kettering East & Oyster Cove — Outcome: Full Rural Living Zone — best comparison for southern Channel	Woodbridge (LCZ bulk) — Outcome: LCZ retained
Ireneinc landscape value description	'Scenic landscape; coastal interface; bushland; dwellings integrated into natural setting; interface between coastline and bushland contributing to significant landscape value'	D'Entrecasteaux Channel views; bushland; scenic values — near-identical coastal and bushland language to Kettering East
Settlement characteristics found	Yes — clear rural living settlement; lots 1–10 ha along Manuka Road; consistent pattern throughout	Woodbridge Hill Road cluster: recognisable rural pattern. LCZ bulk: less consistent settlement
Lot sizes	1–10 ha (majority)	LCZ bulk: variable, some larger. Woodbridge Hill Rd: smaller
SPA coverage	Partial — not full coverage	Significant — greater SPA coverage than Kettering East in some areas
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium — full RLZ accepted	Medium-high — LCZ retained for bulk
DP6 — codes manage landscape values?	YES — full locality; codes and min lot size manage values; existing blocks already fully used	NOT fully concluded — channel views and bushland cited as requiring LCZ protection
Key differentiator cited	Clear consistent settlement pattern; existing blocks already fully used	Woodbridge Hill Rd cluster: fragmentation/rural activities → Rural Zone. LCZ bulk: channel views and continuous bushland
Zone outcome for Kettering East & Oyster Cove	Full RLZ — consistent	⚠ INCONSISTENCY: This locality is the most useful comparison for the southern Channel Region. Its full acceptance at medium risk, with a D'Entrecasteaux Channel coastal setting described in near-identical terms to LCZ-retained Woodbridge, Birchs Bay, Middleton, and Gordon, shows that coastal setting and bushland alone do not prevent RLZ. The distinguishing characteristic consistently cited for LCZ in the southern localities is the continuous bushland corridor along the ridgeline — which does not characterise every individual lot within those localities.

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:

1. My lot is 2.2 ha — consistent with the 1–5 ha range accepted for RLZ at Howden, and within the range for which Ireneinc found codes manage landscape values adequately
2. My lot has cleared areas with an existing dwelling — it does not display the elevated vegetated ridgeline character cited as the basis for LCZ retention.
3. 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 Baseline 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: Alonso Morales-Cortes Alonso Morales-Cortes _____ Full name:	Date: 1/05/2026  _____ Contact email / phone:
--	---

LODGEMENT: Email your completed submission and Attachment A to KingboroughLPS@planning.tas.gov.au with the subject line: 'Submission — Kingborough LPS Direction 69 — [your property address]'. The deadline is midnight Monday 4 May 2026. Attach only the locality section of the Inconsistency Analysis that is relevant to your property — not all 20 sections.