
From: John French <[REDACTED]>
Sent: Friday, 1 May 2026 9:51 PM
To: Kingborough LPS
Cc: John French
Subject: Submission — Kingborough LPS Direction 69 — [REDACTED] Tinderbox
Attachments: TPC Submission - [REDACTED] -J&K French.pdf

To the Tasmanian Planning Commission,

Please find attached a submission in response to the letter dated 2 April 2026 (ref: DOC/26/36829) advising that the Ireneinc report recommends my property be included within the Rural Living Zone (RLZ).

We 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, consistent with the Ireneinc recommendation.

Kind Regards,
John and Karen French

WRITTEN SUBMISSION TO THE

TASMANIAN PLANNING COMMISSION

Kingborough Local Provisions Schedule — Direction 69 / Ireneinc Report

John and Karen French

Tinderbox, 7054

To the Tasmanian Planning Commission,

PART A — PROCEDURAL OPENING (select one variant)

I write in response to the letter dated 2 April 2026 (ref: DOC/26/36829) advising that the Ireneinc report recommends my property be included within the Rural Living Zone (RLZ) under the draft Kingborough Local Provisions Schedule (LPS), rather than remaining in the Landscape Conservation Zone (LCZ) as exhibited.

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. I take up that opportunity and submit as follows.

PART B — PROPERTY DETAILS

Landowner name(s)	William John Reginald French and Karen Judith Quinnell
Property address	Tinderbox, 7054
Title reference (folio)	
Lot size (approx.)	2.24 ha
Locality	Tinderbox
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Rural Living Zone (RLZ) — [subcategory to be specified]
Position in this submission	Accept RLZ — support and argue correct subcategory (B)

PART C — STATEMENT OF POSITION

I welcome and support the Ireneinc recommendation that my property be included within the RLZ under the draft Kingborough LPS. The RLZ is a significantly more appropriate zone for my property than the exhibited LCZ.

I make this submission to: (1) provide the Commission with property-specific evidence supporting the RLZ recommendation; (2) identify the most appropriate RLZ subcategory for my property; and (3) ensure the Commission does not revert to LCZ at the final determination stage.

The subcategory I seek for my property is:

- **Rural Living Zone B** (minimum lot size 2 ha) — the existing lot pattern in my locality is consistent with lots of approximately 2–5 ha

PART D — SUPPORTING EVIDENCE AND ARGUMENTS

D1 — The RLZ recommendation is consistent with the Zone Guidelines

D1.1 — Zone Guideline RLZ 1(a) — residential character with rural activities

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 accurately describes my property.

My property contains a house constructed in 1987, with added carport, shed and outbuildings. The primary use is residential. Tended native gardens surround the house but the remainder of the block is natural vegetation (mainly sheoaks). This is precisely the mix of residential and lower-order rural activities described in RLZ 1(a).'

D1.2 — Zone Guideline RLZ 2(b) — ELZ land with residential intention

Zone Guideline RLZ 2(b) confirms 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. My property satisfies both elements: the primary intention is residential, and the RLZ subcategory I am seeking applies a minimum lot size that is consistent with or larger than the current lot size (2.24ha).

D1.3 — Zone Guideline RLZ 3 — subcategory selection

Zone Guideline RLZ 3 provides that the differentiation between RLZ A, B, C and D should reflect the existing pattern and density of development within the rural living area, or be supported by further strategic justification. My preferred subcategory — RLZ [B] — directly reflects the existing lot size pattern in my locality.

The Ireneinc Locality Report for Tinderbox confirms a settlement pattern of 1-10ha lots. Properties in my immediate area have lot sizes of approximately 2ha to 5ha. My property of 2.24 ha is consistent with this pattern, supporting the application of RLZ B

D2 — Property-specific evidence supporting RLZ

D2.1 — Established residential settlement

The Ireneinc framework identifies the following as indicators of rural living settlement characteristics: 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. My property and the surrounding settlement display all of these characteristics.

My property is part of a cluster of 5 immediate neighbour residential properties along [REDACTED] each with lot sizes of approximately 2ha. Each property contains a dwelling with associated outbuildings, and the area has been a settled rural residential community since we purchased in 1997.

D2.2 — Landscape values can be managed within RLZ

Zone Guideline RLZ 4(b) provides that the RLZ should not be applied where land contains important landscape values identified for protection and conservation, unless those values can be appropriately managed through the application of the relevant codes. The TPC panel confirmed at Day 20 [02:33:54] that the Priority Vegetation Area (PVA) overlay and Scenic Protection Code (SPC) do the landscape-protection work in many cases, removing the need for LCZ. Any landscape values present on or near my property can be managed in this way.

My property is within a Scenic Protection Area. The Natural Assets Code does apply to native vegetation on my title. The combined effect of these overlay controls and the RLZ minimum lot size provides adequate management of any landscape values without the need for LCZ.

D2.3 — No further subdivision is intended or enabled

The Ireneinc framework and Zone Guidelines both flag the risk that RLZ could enable subdivision that would intensify development and affect landscape values. The RLZ subcategory I am seeking addresses this risk directly. Under RLZ B, the minimum lot size of 2.24ha means that very limited potential for subdivision exists, consistent with the intent of Zone Guideline RLZ 2(b) which contemplates applying RLZ D (10 ha minimum) to prevent further subdivision where appropriate.

My property is 2.24 ha. Under RLZ [D] with a minimum lot size of 10 ha, no subdivision is possible. Under RLZ [B] with a minimum of 2 ha, at most 1 lot could be created, which would be consistent with the existing settlement pattern. We do not intend to subdivide but would like to retain the limited potential to do so.

D3 — The LCZ should not be reinstated

While I support the RLZ recommendation, I am concerned that the Commission may revert to LCZ rather than adopting Ireneinc's recommendation. I place the following matters on the record.

D3.1 — LCZ was historically over-applied and inconsistently justified

The Ireneinc LCZ Review documents that the TPC found Council's initial LCZ application was often inconsistent with the Zone Guidelines and with surrounding land. The exhibited LCZ for my property was part of a blanket application covering approximately 75% of ELZ parcels — an approach the TPC itself queried repeatedly. Ireneinc's recommendation to apply RLZ to my property is the product of a more rigorous, property-level analysis that should be preferred over the exhibited LCZ.

D3.2 — The Commission is not bound by the exhibited LCZ

Chair Nick Heath confirmed at Day 20 [06:45:48] that the Commission will decide on section 34 LUPAA criteria and is not bound by Council's exhibited position or by Council's 16 March 2026 resolution favouring the 'least restrictive alternative'. The Commission is therefore free to adopt the RLZ recommendation, and I urge it to do so.

D3.3 — The evaluation framework is not a statutory instrument

Kate Heckelmann (Ireneinc) confirmed at Day 20 [05:53:00] that the evaluation framework is a tool, not a statutory instrument. The Commission may adopt, modify, or depart from Ireneinc's recommendations as it sees fit under section 34 LUPAA — but where Ireneinc's analysis supports RLZ and is consistent with the Zone Guidelines, as here, the Commission should adopt it.

PART E — LOCALITY-SPECIFIC CONTEXT

- Locality name Tinderbox
- The Ireneinc report recommends RLZ [B] for our property. We agree with this recommendation because at 2-Apr-2026, the Ireneinc report recommended RLZ for West Tinderbox along with all adjoining properties. No questions were asked about this at the hearing, though this does not indicate acceptance by the Commission.
- This supports the application of RLZ to my property because my property is consistent with and should be treated the same as the recommendation for surrounding land
- Ireneinc recommended full ELZ to RLZ transitions for Kettering East / Howden / Albion Heights. No questions were asked about these recommendations at the hearing, though this does not indicate acceptance by the Commission. My property shares similar lot size and land use characteristics to these localities. Consistent treatment supports the RLZ recommendation for my property.

PART F — CONCLUSION AND RELIEF SOUGHT

For the reasons set out above, I submit that:

1. The Ireneinc recommendation to include my property within the RLZ is correct and is consistent with the Zone Guidelines (Guideline No. 1) and the requirements of section 34 of LUPAA.
2. The exhibited LCZ was not appropriate for my property and should not be reinstated. The RLZ recommendation reflects a more rigorous analysis and should be adopted.
3. The most appropriate RLZ subcategory for my property is RLZ [B], which reflects the existing pattern and density of development in my locality under Zone Guideline RLZ 3, and significantly constrains further subdivision.
4. Any landscape values in the broader locality can be appropriately managed through existing overlay controls — NAC, PVA overlay, and SPC — in combination with the lot size controls of the RLZ subcategory.

I respectfully request that the Commission:

- Adopt the Ireneinc recommendation and include my property within the RLZ [B] in the Kingborough Local Provisions Schedule; and
- Not revert to the exhibited LCZ, which is not supported by the site-specific evidence for my property.
- We 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, consistent with the Ireneinc recommendation.

Signed: [REDACTED] Full name: William John Reginald French	Date: 1-May-2026 Contact email / phone: [REDACTED]
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Signed: [REDACTED] Full name: Karen Judith French	Date: 1-May-2026 Contact email / phone: [REDACTED]
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PPART 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)
KIPS2015	Kingborough Interim Planning Scheme 2015
LCZ	Landscape Conservation Zone
Locality	Mean the relevant locality as defined in the Ireneinc report
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