
From: Catriona Thomson [REDACTED]
Sent: Monday, 4 May 2026 9:12 PM
To: Kingborough LPS
Cc: Nicolas Roa Rojas
Subject: Submission - Kingborough LPS Direction 69 - [REDACTED]
Attachments: [REDACTED]_Accept_RLZ.pdf

Dear TPC,

Please find attached our submission in regards to the Kingborough LPS. We appreciate all the time and effort you put into this matter, as it is important to the residents of Kingborough.

Thank you,

Catriona and Nicolas
[REDACTED]

WRITTEN SUBMISSION TO THE

TASMANIAN PLANNING COMMISSION

Kingborough Local Provisions Schedule — Direction 69 / Ireneinc Report

PART A — PROCEDURAL OPENING

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 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 on my behalf within Representation 430 (Josh Graeme-Evans) 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)	Catriona Thomson & Nicolas Roa Rojas
Property address	██████████ Tinderbox, 7054
Title reference (folio)	██████████
Lot size (approx.)	2.32 ha
Locality	Tinderbox West
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Rural Living Zone (RLZ)
Position in this submission	Accept RLZ – support and argue subcategory A

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.

I welcome the RLZ as proposed by independent reviewer Ireneinc. The subcategory I seek for our property is Rural Living Zone A. Properties in Tinderbox West typically range from 1 – 3 ha. My property is 2.32 ha with an established house, 2 large sheds and the foundations (concrete slab) of the original residential building of the lot which was fully damaged by a house fire in 1997. As the foundations exist for a second dwelling, we believe subcategory A is more suitable for our property, considering the history, size of lot and existing infrastructure. We would like the opportunity to re-build the original house on the lot. This would add only one new dwelling to the area and it would contribute to statewide housing supply objectives.

Furthermore, approved subdivision within 1 km towards North and South of our property shows lot sizes of 1.1 ha – 2.02 ha (DAS-2023-13). We believe this established settlement pattern gives argument to all residents in this cluster to have lots of at least the minimum area of lots that have been approved as part of the subdivision (DAS-2023-13).

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.

Our property contains a house constructed in 2004, 2 large outbuildings, previously used as aviaries, and a vacant concrete slab. The primary use is residential. There are also chickens, a vegetable garden, ornamental garden and small orchard. Additional, clear area that was used for potato farming. 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.

The primary strategic intention for our property has been residential – it has been used as a residence since the 1980s.

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 [A] — directly reflects the existing lot size pattern in my locality.

The Ireneinc Locality Report for Tinderbox West “recognises this land as an extension of the rural settlement identifies to the North to which this land exhibits similar rural living settlement characteristics to, particularly in terms of evident pattern of subdivision and pattern or land use...the land proposed to be included in the RLZ in this portion of the locality is generally less elevated and that future development is less likely to be visible in the context of the landscape values – particularly when compared with the Eastern portion of the peninsula.” Properties in my immediate area have lot sizes of 1.1 ha – 2.5 ha. My property of 2.3 ha is consistent with this pattern.

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.

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.

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 A, the minimum lot size of 1 ha means that subdivision of my property would be possible (but produce only one single additional lot), consistent with the intent of Zone Guideline RLZ.

My property, if zoned under Subcategory A, could only potentially produce one additional lot under the same subcategory. I am comfortable with this limited subdivision potential and the pattern of lots that would result is consistent with surrounding properties (reference above).

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

Tinderbox West.

The Ireneinc report recommends RLZ for my property. I agree with this zone and would like to put forward my argument for subcategory A. My property adjoins properties to the North, South and West that are also proposed RLZ by Ireneinc and have similar characteristics to 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 A, 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 A 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.

I request that the folio of the Register [REDACTED] at [REDACTED] Tinderbox, be included within the Rural Living Zone in the Kingborough Local Provision Schedule, consistent with the Ireneinc recommendation.

Signed: Full name: Catriona Thomson & Nicolas Roa Rojas	Date: 04/05/2026 Contact email / phone:
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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)
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