
From: [REDACTED]
Sent: Sunday, 3 May 2026 9:38 PM
To: Kingborough LPS
Cc: 'Erica Coull'
Subject: [REDACTED], Folio 151662/2 TPC submission
Attachments: [REDACTED] - Coull - TPC submission inc. collective.pdf

Hello TPS team,

Please find attached our submission with respect the proposed LCZ zoning for our property at [REDACTED], Margate. Included as an attachment is a collective submission from our neighbourhood.

I am happy to discuss as required. Please advise to confirm receipt of our submission.

Paul and Erica Coull
[REDACTED]

3/5/2026

To the Tasmanian Planning Commission,

We write in response to your 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).

We did not make a formal representation during the public exhibition period as, at the time, we were unaware of the changes being proposed or the exhibition process, however the Commission has subsequently received correspondence from us and/or on our behalf in relation to the draft LPS. We wish to formally participate in this stage of the LPS process by making a written submission as provided in this document.

Our details are as follows:

Landowner name(s)	Paul and Erica Coull
Property address	██████████, Margate, 7054, Tas
Title reference (folio)	██████████
Lot size (approx.)	26 hectares
Locality	Margate, Tasmania
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Landscape Conservation Zone (LCZ)
Zone sought in this submission	Rural Living Zone (RLZ)

The specific sub-category we believe is appropriate is Rural Living Zone D (minimum lot size 10 ha). The neighbouring properties are typically in the range of 7 to 20 Ha which is consistent with RLZ C or RLZ D and with characteristics appropriate for RLZ.

We argue that the application of the Landscape Conservation Zone (LCZ) to our 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).

1. We note that the Zone Guidelines prohibit LCZ where priority is residential LCZ 4(a).

- a. Zone Guideline LCZ 4(a) states 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 applied. 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. Further, LCZ-4 states that the **LCZ is NOT a replacement** for the Environmental Living Zone (Figure 1).

- i. *This property has been primarily utilised for Residential purposes since 2008 with extensive residential development either in place or ongoing. Our family have been living here continuously in this period except for 2018 when the residence was rented out whilst we were interstate. We are currently in the process of building a substantial new dwelling and addition to outbuilding on the property (BA/102-2023); the current Development Approval also allows for a studio (existing), store (existing) and tractor shed (existing) (DA - 2021 – 564). Other existing improvements include a substantial shed (building permit BA/280-2017 and building permit 859-2009), off-grid power system, water tanks, driveway, dams, a barn, chookshed, and animal shelters. We have been operating a small business from the property since 2012.*
- ii. *In addition to the current development, we had a previous development approval (DA-2016-302) for a dwelling we ultimately chose not to build.*
- iii. *The fact that Kingborough council have actively supported residential development on this property would indicate that residential use is a priority. There is no evidence to suggest that the primary use is other than residential.*
- iv. *Applying LCZ to our property is inconsistent with these guidelines as our property has been extensively cleared (historically) and developed for residential and agricultural purposes.*

Zone	Zone Purpose	Zone Application Guidelines
		LCZ 3 The Landscape Conservation Zone may be applied to a group of titles with landscape values that are less than the allowable minimum lot size for the zone. LCZ 4 The Landscape Conservation Zone should not be applied to: (a) land where the priority is for residential use and development (see Rural Living Zone), or (b) State-reserved land (see Environmental Management Zone). <i>Note: The Landscape Conservation Zone is not a replacement zone for the Environmental Living Zone in interim planning schemes. There are key policy differences between the two zones. The Landscape Conservation Zone is not a large lot residential zone, in areas characterised by native vegetation cover and other landscape values. Instead, the Landscape Conservation Zone provides a clear priority for the protection of landscape values and for complementary use or development, with residential use largely being discretionary.</i> <i>Together the Landscape Conservation Zone and the Environmental Management Zone, provide a suite of environmental zones to manage use and development in natural areas.</i>

Figure 1 Extract from Planning Guidelines LCZ

[https://www.planning.tas.gov.au/_data/assets/pdf_file/0006/583854/Section-8A-Guideline-No.-1-Local-Provisions-Schedule-LPS-zone-and-code-application-version-3.pdf (page 20)].

2. The Guide to the State Planning Provisions (2022) states the following with respect LCZ:

- a. "The development standards in the Zone aim to minimise impacts on natural and scenic values. Subdivision is limited in the Zone with an absolute minimum lot size of 20ha.

[https://www.stateplanning.tas.gov.au/_data/assets/pdf_file/0003/541605/Guide-to-the-State-Planning-Provisions-May-2022.pdf (page 23)]

- i. *Whilst our property does exceed the minimum lot size of 20Ha, it is noted that the majority of properties in our neighbourhood with proposed LCZ are less than the minimum 20Ha lot size therefore do not align with this guideline.*

3. We also note that the RLZ purpose is stated as follows:

- a. Zone Guideline **RLZ 1(a)** states 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 (Figure 2).

- i. *Whilst our property is primarily utilised for Residential purposes, a significant portion of the property has been cleared and fenced (historical, pre 1960s, refer Figure 3) with substantial fencing, dams and other rural improvements more recently (Figure 4). Current hobby farming activities include goats (breeding male and females), chooks (breeding male and females), guinea fowl, vegetables and fruit. Historically this property has supported*

cattle, sheep and alpacas, potatoes and (originally) sawmilling. The property has been utilised for rural purposes for multiple generations before becoming a residential property.

Neighbouring properties on [REDACTED] and [REDACTED] are typically large lot Residential and engaged in a variety of hobby farming activities.

- ii. Properties immediately to the South and North have Private Timber Reserves, some of which are actively managed for small scale forestry.
- iii. A Natural Values assessment for our property (Envirodynamics 2022, Figure 6) identified Agricultural Land (FAG) as one of the 3 vegetation types present.

b. Further, we note that 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.**

- i. In addition to our current residence, our new dwelling currently under construction, and our rural activities/infrastructure, we note that the majority of neighbouring properties are large lots primarily utilised for residential purposes and hobby farming activities including small scale sawmilling, fruit and vegetables, hay making, and livestock. Our property is 26Ha in size which is consistent with RLZ (D).
- ii. As stated above, we believe that a proper interpretation of the zone guidelines would have resulted in RLZ being applied to our property. We would welcome a site inspection to confirm this view.

Zone	Zone Purpose	Zone Application Guidelines
11.0 Rural Living Zone  Red 255, Green 201, Blue 210	The purpose of the Rural Living Zone is: 11.1.1 To provide for residential use or development in a rural setting where: (a) services are limited, or (b) existing natural and landscape values are to be retained. 11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity. 11.1.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts. 11.1.4 To provide for Visitor Accommodation that is compatible with residential character.	RLZ 1 The Rural Living Zone should be applied to: (a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity, or (b) land that is currently a Rural Living Zone within an interim planning scheme or a section 29 planning scheme, unless RLZ 4 below applies. RLZ 2 The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless: (a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; or (b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater. RLZ 3 The differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on: (a) a reflection of the existing pattern and density of development within the rural living area; or (b) further strategic justification to support the chosen minimum lot sizes consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.

Figure 2 Extract from Planning Guidelines RLZ

https://www.planning.tas.gov.au/_data/assets/pdf_file/0006/583854/Section-8A-Guideline-No.-1-Local-Provisions-Schedule-LPS-zone-and-code-application-version-3.pdf (page 6)



Figure 3 Aerial image of [REDACTED] circa 1960s. Note the extent of land clearing and pasture development (the majority of the property) (Listmap)



Figure 4 Aerial image circa 2025/26 showing the extent of clearing, residential development, sheds and outbuildings, dams, fencing etc. (listmap)

4. We disagree with the Ireneinc recommendation:

- a. Furthermore, we argue that the Ireneinc review has not been sufficiently rigorous. The Ireneinc evaluation framework, applied correctly to our property, supports RLZ. We argue that if applying the Ireneinc framework as intended, our property satisfies the criteria for RLZ rather than LCZ.
- b. Our property has strategic residential intention as evidenced by previous and current development and building approvals
 - i. *Our property contains an established dwelling, separate and new dwelling under construction, large shed, driveway access, and associated outbuildings, fencing, dams and gardens. The surrounding property's further support this, with long term established dwellings and similar surrounding infrastructure to our property. Aerial photography supports the existence of dwellings and improvements since 2008 on our property.*
- c. My property has the characteristics of a rural living settlement
 - i. *My property is situated within a cluster of properties along [REDACTED] and [REDACTED] each with lot sizes ranging from approximately 7Ha to 30Ha. Neighbouring properties contain detached dwellings with associated rural*

activities including hobby farming, small scale forestry, grazing, hay production, etc.

- ii. The Ireneinc report justifies the inclusion of our property in the LCZ due to residences generally being nestled amongst bushland; this is clearly not the situation for our property with a long established >6Ha clearing surrounding both our current dwelling and the new residence under construction (Figure 4). Nearby properties also typically have substantial clearings.*
- iii. Further, the Ireneinc report is not consistent, recommending that nearby properties [REDACTED] be transitioned from LCZ to RLZ; Figure 5 clearly shows that [REDACTED] and surrounding properties are at least as characteristic of RLZ as [REDACTED]. There is no basis to treat our property differently to these properties recommended for RLZ.*



Figure 5 comparison of [redacted] with [redacted]

- d. Any identified landscape values can be managed outside of LCZ
 - i. *The property has historically been logged, cleared and grazed and the current forest vegetation is primarily regrowth forest from logging, pasture, and the 1967 and 1996 bushfires. A significant proportion (>6Ha) has been cleared (historical) and is actively managed for grazing (Figure 3 and Figure 4).*
 - ii. *IreneInc (page 224) justifies LCZ for ours and surrounding properties due to “.....scenic backdrop that is highly visible from surrounding areas and the broader Channel region....”. This is incorrect; due to topographical features (ridgeline) in the landscape to the East, only the steep and forested Western*

portion of our property is visible from other locations (West of the new residence under construction, and including the new residence which is visible from no closer than Tinderbox). The new dwelling development or any part of the property to the East of this is not visible from the Channel Highway. Adjoining properties to the North, South and East of our property are similarly not visible from the Channel Highway.

- iii. The following extracts from a Natural Values Assessment of our property in 2022 are provided in support of our argument (Figure 6):

4.1 Vegetation Communities

Two native vegetation community and one modified community were recorded during the field survey, as per the TASVEG 4.0 classification system:

- *Eucalyptus obliqua* forest over broadleaf shrubs (WOB)
- *Acacia dealbata* forest (NAD)
- Agricultural land (FAG)

4.1.1 Conservation status of the vegetation communities

No communities listed as threatened under State or Commonwealth legislation are present at the development site. None of the vegetation communities are listed as high priority biodiversity values under the Biodiversity Code (E10.0) of the Kingborough Interim Planning Scheme 2015.

4.2 Flora

A total of 22 vascular plants were recorded during the survey within the proposed impact area. Additional flora species will occur on the site in areas not surveyed, and some plants could have overlooked due to the inherent limitations of the survey e.g. timing, timed meander method.

4.2.1 Threatened flora

No threatened flora species listed under the *Threatened Species Protection Act 1995* or the *Environmental Protection and Biodiversity Conservation Act 1999* were recorded during the survey.

Figure 6 Extract from Natural Values Assessment of [REDACTED] (EnviroDynamics, 2022)

5. Specifically, RLZ 11.1.1 (b) states that the purpose of the RLZ is

- a. To provide for residential use or development in a rural setting where (a) services are limited; or (b) existing natural and landscape values are to be retained (Figure 2).
- i. This purpose accurately characterises our property. We argue that RLZ 11.1.1 (b) should provide adequate protection for landscape values.

- b. The RLZ subcategory provides for limited or no further subdivision
 - i. *Applying RLZ D 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. Subdivision of my property under this subcategory would be significantly constrained, addressing any concern about intensification.*
- c. I am one of 14 landowners in [REDACTED] and [REDACTED] 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. Please refer attached letter.

6. For the reasons set out above, we submit that:

- a. The application of the LCZ to our property is inconsistent the Zone Guidelines (Guideline No. 1) and does not satisfy the requirements of section 34 of LUPAA.
- b. The LCZ is prohibited by Zone Guideline LCZ 4 (a) where, as for our property, the priority for the land is residential use.
- c. 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.
- d. Any landscape values identified in the locality can be appropriately managed through existing overlay controls without resort to the LCZ.

7. We respectfully request that the Commission:

- a. Determine that the draft Kingborough LPS should be modified to include my property [REDACTED] (folio 151662/2) within the Rural Living Zone D;
- b. If the Commission proposes any alternative outcome, that I be provided with an opportunity to respond before any final determination is made.

Yours sincerely

[REDACTED]

3-5-2026.

[REDACTED]

3/5/2026.

Paul and Erica Coull

[REDACTED] Margate TAS 7054

[REDACTED], Margate TAS 7054

Phone: [REDACTED]

Email: [REDACTED]

Table of Acronyms:

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
RLZ	Rural Living Zone
STRLUS	Southern Tasmania Regional Land Use Strategy
TPC	Tasmanian Planning Commission
Zone Guidelines	Guideline No. 1 — Local Provisions Schedule: Zone and Code Application

Attachments:

Collective_Cover_Submission_ [REDACTED] and [REDACTED].pdf

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 Bjorhusdal	██████████	██████████	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 ██████████ and ██████████. 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 Pelverata/Kaoota is the most comparable locality to ours. Like our properties, properties in Pelverata/Kaooota 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.