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**From:** Xavier Whyte [REDACTED]  
**Sent:** Monday, 4 May 2026 11:09 PM  
**To:** TPC Enquiry; Kingborough LPS  
**Subject:** 180618/2 [REDACTED]  
**Attachments:** KC TPC response S.Whyte.doc

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Thank you for considering this applications.

Scott Whyte

**TASMANIAN PLANNING COMMISSION***Kingborough Local Provisions Schedule — Direction 69 / Ireneinc Report*

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**PART A — PROCEDURAL OPENING (select one variant)**

**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 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.**

**PART B — PROPERTY DETAILS**

|                                |                                 |
|--------------------------------|---------------------------------|
| <b>Landowner name(s)</b>       | Scott Whyte                     |
| <b>Property address</b>        | ██████████                      |
| <b>Title reference (folio)</b> | 180618/2                        |
| <b>Lot size (approx.)</b>      | 1.2 ha                          |
| <b>Locality</b>                | Tinderbox East                  |
| <b>Current IPS zone</b>        | Environmental Living Zone (ELZ) |

|                                       |                                               |
|---------------------------------------|-----------------------------------------------|
| <b>Draft LPS exhibited zone</b>       | Landscape Conservation Zone (LCZ)             |
| <b>Ireneinc recommended zone</b>      | Landscape Conservation Zone (LCZ) — unchanged |
| <b>Zone sought in this submission</b> | Rural Living Zone (RLZ) —                     |

## PART C — STATEMENT OF POSITION

I submit that following the issuing of Direction 69, the application of the Landscape Conservation Zone (LCZ) to my property - which is located in “East Tinderbox” within the Environmental Living Zone (ELZ) under the Kingborough Interim Planning Scheme 2015 - 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 :-

- Rural Living Zone A (minimum lot size 1 ha) — reflecting the existing lot pattern in my locality is the appropriate zone for my property under the draft Kingborough LPS.

## PART D — GROUNDS FOR THIS SUBMISSION

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

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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 zoned Environmental Living Zone (ELZ) under the Kingborough Interim Planning Scheme 2015.

I have only in recent years taken up residence here, having purchased the land for the purpose of building a residential dwelling. This was subsequent to a subdivision: and the new title 180618/2 was issued on 19/04/2019; then on purchasing the lot, building a residential dwelling upon the site (Completed this year).

My lot has a narrow boarder next to the road of short Spiky Box gums, but the remainder of the lot (by far the majority) is grassland, without other vegetation.

Landscaping is at present underway, creating an ornamental (native focused) garden to support the residential home.

My Lot is therefore purely residential, and accordingly LCZ zoning should not be applied.

### **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 (as described above).

**The Ireneinc Report for land referred to as Tinderbox East (seemingly a newly introduced identification) has been issued without reference to owners. In relation to [REDACTED] there is no identification of specific Landscape Values. As such I question “what is the definition of Landscape Values?” – and how have they been judged to be present on my land? Have they even been considered in relation to this property Or (as seems to be the case) are they part of an overall assessment of “East Tinderbox” – done without justification?**

**The landscape value assessment apparently relies on aerial imagery and realestate.com.au photographs, many of which are taken from drones and do not accurately show the property in question.**

**The aerial pictures portray views that are not available to people on the roadway, the normal view for those admiring scenery! My house is built below site line from the road, covered by the thin Box hedge.**

### **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 residential, 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.

**As pointed out above, my property is now purely residential. The approval given by KC for the subdivision of the remaining Hale land including this lot (in 2019) was based on there being no further sub-division allowed. The property is 1.2 Ha – and appropriate zoning would be RLZ Zone A.**

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

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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.

**My property now consists of a residence with garage, and landscaping to serve as ornament for the residential dwelling.**

### **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.

**The property has been used continuously for sheep grazing from before purchase by my parents in 1946, and continues as such, together with neighbouring properties that agree to have sheep grazing for control of vegetation for bushfire issue. Sheep grazing was approved in the environmental report attached to our DA at the time of subdivision!**

**There is further potential for fruit trees and perhaps vineyard, but the property is primarily for residential purpose.**

### **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].

**Overlays proposed for this property appear to be:-**

**C7.0 Waterway and Coastal Protection Area**

**C7.0 Priority Vegetation**

**C10.0 Coastal Erosion Area**

**C13.0 Bushfire-Prone Areas**

**C15.0 Landslip Hazard**

**My property is outside the Scenic Protection Area (SPA), but is subject to the NAC / PVA overlay, which manage landscape values, without the need for the more restrictive LCZ.**

**My property consists of open grassland, on which my house and garage plus lawn/garden are situated.**

**This section begs the question “What are the Landscape Values being considered in classification of this property - and who would make the judgement in this decision, at KC level?”**

**The major bushland is on the western side of [REDACTED] – now referred to as “Tinderbox Hills” - and recognised as**

## **Priority Vegetation.**

### **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 [A/B/C/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.

**My property is 1.2ha – and as a result of subdivision approval with new title 180618/2 - Issued on 19/04/2019 there is no more sub-division possible.**

### **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.

**The Ireneinc report rates the transition of land in Tinderbox East to RLZ as high risk. I submit that this rating does not accurately reflect the characteristics of my individual property for the following reasons:-**

Ireneinc page 174 states "Extensive panoramic views are a defining feature of the peninsula which are dominated by vegetation but do include areas of clearing (particularly towards the southern portion of the peninsula) and scattered residences are visible. Elevated viewpoints and coastal areas provide sweeping vistas to and from the Channel, reinforcing a strong visual and experiential connection between land and water. These view corridors are central to the peninsula's identity and contribute significantly to its scenic and recreational appeal."

I must point out that the viewpoints referred to only exist because of clearing of tree growth in earlier years. The eastern side of [REDACTED] (downhill or water side) through what the report refers to as Tinderbox East, in this area remains much the same as it did when Ted Hale Snr purchased the property in 1946. With original tree coverage (or subsequent re-growth) most of these views would be blocked!

A good example of this exists at Fort Pierson Reserve. At the time when KC acquired this land as part of public open space taken by KC when Ted Hale Snr first began subdividing some lots off his farmland in the 1960's, this site had extensive and clear views extending more than 180 degrees over North West Bay, D'Entrecasteaux Channel, Bruny Island, Storm Bay, Tasman Peninsula, The Iron Pot, South Arm, the Eastern shore of Hobart, Mt Nelson and Mount Wellington. Now most of that view is blocked by tree growth!

Another example is the historic site of Mt Louis (where the relics of the signal station remain on the reserve) also taken by KC as Public Open Space in the 1960's, where again tree growth blocks the majority of the view. In the early days of Tasmania, this was a semaphor station, with clear line of sight to similar stations on Tasman Peninsula and atop Mt Nelson.

Neither Fort Pierson/Pierson's Point Reserve, which marks the location of military defence forces for the defence of the Derwent during the Second World War or Mt Louis appear to have been recognised in the Ireneinc Report in wording.

There are significant views from the road overlooking my property to the Derwent River, Storm Bay and South Arm . However there is a significant drop in altitude from the road and the house and outbuildings are within the outline of land beyond – not projecting into the water view.

Looking from the Derwent River, the view low down is of the cliff front and grassy slopes with my house limited to 1 story, and having a roofline below the cliffs and river view from the road. As mentioned, the thin row of Box trees obscures the house from the road.

Above and beyond my property the view from the water is of the bushland of Tinderbox Hills, (part of the original property of Ted Hale Snr).

### **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.

**My property supports occasional grazing of sheep to keep the grass levels at a controlled height.**

**In this area along [REDACTED] are properties with goats and chickens plus an olive grove and other properties have chickens and sheep plus some small vineyards All of these properties are primarily residential.**

### **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.

**It seems that the entire basis for Ireninc pushing for LCZ as zoning for my property and others along [REDACTED] on the Eastern side of the peninsula is Landscape Value. Whilst acknowledging that we live in a wonderfully scenic area, it is, in large, part what the various owners have done by way of improvement that has made the land attractive. The views beyond these properties of water or background hills and treelines will not be altered by zoning. My property in Tinderbox East is directly comparable to properties in**

**Tinderbox West where RLZ was recommended. Both areas share the characteristics of lot sizes and settlement pattern.**

**The issue of allowable building height should be part of the DA approval process – and as such should actually be a non-issue!**

**While there are some significant landscape values, the properties on the East, including my house, do not impact them – certainly no more than they would if the properties were zoned LCZ. There is no principled basis on which to treat property on the East differently to that on the West.**

**The Ireneinc representative acknowledged that "on balance there was kind of a consideration that there are rural living characteristics across that whole area". In fact, the consistency argument works the other way. East Tinderbox south of two large parcels is an exceptionally consistent large-lot residential cluster!**

## **D4 — Consistency and fragmentation arguments**

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### **D4.1 — Fragmented LCZ application should be resolved in favour of the surrounding zone**

The Ireneinc report itself identifies avoidance of fragmented LCZ application as a key principle. The report notes that areas where only 2–3 LCZ-zoned properties are surrounded by Rural Zone (RZ) or RLZ land should be modified to resolve the fragmentation. Where my property is located within or adjacent to an area predominantly zoned RLZ or RZ, the application of LCZ creates exactly the kind of spot-zoning that the Ireneinc framework seeks to avoid.

**My property is located in Eastern Tinderbox.**

**The Ireneinc Report recommends that the western side of the Tinderbox peninsula transition from ELZ to RLZ, whilst the eastern side should transition from ELZ to LCZ.**

**There is no justification for this difference, as Ireneinc itself describes the peninsula as a whole as having a "central elevated ridgeline" and "bushland-covered slopes forming a highly prominent landscape".**

**The already established pattern of land use does not warrant the excessive imposition of further controls!**

#### 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.

**Whilst there are no adjoining properties immediately adjacent to mine ( ) with proposed zone LCZ, the entire cluster of adjacent properties *shares the same lot size, settlement character, and land cover, with those in West Tinderbox that been recommended for [RLZ]. There is no identified difference in landscape values, vegetation cover, or development history that would justify the different treatment of my property.***

#### D5 — Council's approach has been historically inconsistent

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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.

**The Ireneinc Report identifies RLZ category be applied to land to prevent the risk of further subdivision. Virtually all of the original property of Ted Hale Snr (comprising all of the southern half of “Tinderbox East”) is already subdivided as much as current regulations allow – which should eliminate any justification for LCZ zoning.**

## **D6 — Any landscape values present can be managed without LCZ**

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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.

**My property is subject to a number of proposed overlays. These are:**

**C7.0 Waterway and Coastal Protection Area**

**C7.0 Future Coastal Refugia Area**

**C7.0 Priority Vegetation**

**C10.0 Coastal Erosion Area**

**C11.0 Coastal Inundation Hazard C13.0 Bushfire-Prone Areas**

**The Ireneinc representative acknowledged that the principal (only) concern with RLZ was that it allowed a higher building limit, but Priority Vegetation overlay already provides protection – in that it would trigger a discretionary application, to be assessed against the performance criteria of the Natural Assets Code – and RLZ's own performance criteria.**

**The response of the TPC panel to Ireneinc's justification for LCZ classification is the absence of the Scenic Protection Area overlay along the East Tinderbox coastal area. The point was made that the appropriate response under the TPS framework would be to extend the Scenic Protection Area — not to impose a more restrictive zone.**

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

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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 [Channel Region] section, the comparisons as described below show that Ireneinc applied near-identical landscape value descriptions and settlement findings to both localities yet recommended LCZ for East Tinderbox and RLZ for West Tinderbox. Howden and Blackmans Bay and Albion Heights and Bonnet Hill.**

**Point 1:- The absence of a SPA overlay is covered by a Priority Vegetation Overlay, but the absence of a SPA overlay should be corrected by extending the overlay - not by using a more restrictive Zone.**

**Point 2:- The higher building height allowance in RLZ (8.5M) to LCZ (6.0M) – should not apply to my property.**

**The height difference should be addressed through acceptable-solution protocol and is further controlled by the Natural Assets Code (invoked by**

**the Priority Vegetation Area Code), and by the Waterway and Coastal Protection Area Code and should be of minimal concern.**

**Point 3:- – two large northeastern lots reduce settlement consistency – should not apply to override the majority southeastern properties – it is the two large lots which are inconsistent, not the very many more smaller residential lots.**

**As mentioned in D.5, virtually all of the original property of Ted Hale Snr (comprising all of the southern half of “Tinderbox East”) is already subdivided as much as regulations allow – which should eliminate justification for LCZ zoning. The majority of these properties are in the 1 to 15 ha size.**

**There is an internal inconsistency with the Howden and Blackmans Bay recommendation, whereby Ireneinc’s Ms Heckelmann conceded the landscape values were "not necessarily very different". The Ireneinc Report recommends that the western side of the Tinderbox peninsula transition from ELZ to RLZ, even though Ireneinc itself describes the peninsula as a whole as having a "central elevated ridgeline" and "bushland-covered slopes forming a highly prominent landscape". The two sides of the peninsula form a single landscape unit viewed from the D'Entrecasteaux Channel**

## **PART E — LOCALITY-SPECIFIC CONTEXT**

**My property is located in what Ireneinc Report refers to as “Tinderbox East”.**

**The Ireneinc report recommends LCZ for the majority of (East) Tinderbox [Channel Region], with RLZ applied to (West) Tinderbox.**

**Delegate Rohan Probert at timestamp [01:07:48] noted when 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.

The guidelines for LCZ contain as follows:

**LCZ 4:** The LCZ should not be applied to: (a) land where the priority is for residential use and development (see RLZ); or (b) State-reserved land (see EMZ).

Critically, the Zone Guidelines also contain two explicit italicised notes at the conclusion of the LCZ section:

**Note:** The LCZ is not a replacement zone for the ELZ in interim planning schemes. There are key policy differences between the two zones.

**Note:** The LCZ is not a large lot residential zone, in areas characterised by native vegetation cover and other landscape values. Instead, the LCZ provides a clear priority for the protection of landscape values and for complementary use or development, with residential use largely being discretionary.

My property is currently zoned ELZ, as are all the properties in our group. The priority for this area has been large lot residential since the 1970s. The Zone Guidelines are clear that this should NOT translate to LCZ as has been done.

West Tinderbox and East Tinderbox are two sides of the same small peninsula. West has now been recommended to be RLZ; East has been recommended to be LCZ, in spite of the LCZ 4 guideline and the Notes to the guidelines, both of which would see East Tinderbox also as RLZ.

## **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.

**For the reasons set out above, I respectfully ask the Commission to direct that my property, Title 180618/2 at [REDACTED], Tinderbox and the balance of the East Tinderbox cluster that is of comparable character, be transitioned from the interim Environmental Living Zone to the Rural Living Zone A, in the Kingborough Local Provisions Schedule reflecting the existing pattern and density of development.**

**If the Commission proposes any alternative outcome, that I be provided with an opportunity to respond before any final determination is made.**

|                        |                        |
|------------------------|------------------------|
| <b>Signed:</b>         | <b>Date:</b>           |
| Full name: Scott Whyte | 3/05/2026              |
|                        | Contact email / phone: |
|                        | [REDACTED]             |
|                        | [REDACTED]             |

*LODGEMENT: Email your completed submission to [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au) with the subject line: 'Submission — Kingborough LPS Direction 69 — [your property address]'. Include your title reference in the body of the email. The deadline is midnight Monday 4 May 2026.*

## 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 |