
From: Graham West <[REDACTED]@au>
Sent: Monday, 4 May 2026 7:28 PM
To: Kingborough LPS
Cc: Kelly Bruce
Subject: Submission to Kingborough draft LPS
Attachments: 20260504 Writing TPCSubmission-Tinderbox v2 copy.pdf

Dear Mr Heath

Please find a submission from Kelly Bruce and Graham West of [REDACTED], Tinderbox 7054 attached.

Yours sincerely

Graham

--

Graham West

Managing Consultant

+ [REDACTED]



Kelly Ruth Bruce and Graham James West

[REDACTED]

Tinderbox TAS 7054

4 May 2026

Mr Nick Heath

Delegate (Chair)

Tasmanian Planning Commission

GPO Box 1691

Hobart TAS 7001

By email: KingboroughLPS@planning.tas.gov.au

Your Reference: DOC/26/36829

**FORMAL SUBMISSION — KINGBOROUGH DRAFT LOCAL PROVISIONS SCHEDULE
RESPONSE TO DIRECTION 69 — REQUEST FOR RURAL LIVING ZONE**

[REDACTED], TINDERBOX (TITLE [REDACTED])

Dear Mr Heath,

We write in response to the Commission's letter of 2 April 2026 regarding the recommendation in the Ireneinc Response to Direction 69 (20 March 2026) that our property at [REDACTED] remain within the Landscape Conservation Zone (LCZ).

We object to that recommendation. We request that the Commission instead apply the Rural Living Zone (RLZ) to Title [REDACTED]. RLZ is the appropriate zoning by reference to Section 8A Guideline No. 1, the established 45-year use of the land, the like-for-like translation from the former Environmental Living Zone (ELZ), and the Council's own acknowledgement that the LCZ has been over-applied in some areas.

Our reasons follow.

1. The land does not meet the Section 8A Guideline No. 1 test for LCZ

Section 8A Guideline No. 1 (Local Provisions Schedule: zone and code application) is explicit that "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."

Title [REDACTED] does not satisfy that test:

- More than 90% of the title is cleared and has been maintained as open pasture for over 45 years. There are no significant landscape values or contiguous native vegetation remnants on the majority of the title.

- The locality of Tinderbox East is a fractured rural-residential landscape of small holdings, predominantly around 2 hectares (5 acres). It functions, in form and use, as a Rural Living locality — not the contiguous, vegetated landscape that the LCZ is designed to protect.
- The Kingborough Planning Authority has acknowledged that this area has been well-managed for 45 years under the prior zoning. There is no evidence-based case for a more restrictive regime now.

2. RLZ is the correct like-for-like translation from former ELZ

Direction 69 directly concerns the application of zoning to former Environmental Living Zone land. The ELZ was, by design, a residential-living zone — it provided for residential use and development in a manner that balanced amenity with landscape values. Translating cleared, established small holdings from ELZ to LCZ is not a like-for-like transition; it is a substantive change in policy intent, from a residential-living framework to a conservation framework.

For Title [REDACTED], the Rural Living Zone is the correct equivalent. It accurately reflects the historical zoning intent, the established use, and the character of the locality.

3. Council has itself acknowledged over-application of the LCZ

The independent review the Council commissioned was, in part, an admission. On 11 March 2026, Mayor Paula Wriedt stated that “in our efforts to navigate the particular challenges posed by rezoning under the statewide planning scheme, Council had previously taken a somewhat precautionary approach in its application of the LCZ in some areas.”

Tinderbox East is precisely such an area. The Council has signalled a reduced risk appetite and a preference for applying the LCZ less broadly where both zones could arguably apply. We invite the Commission to give that admission its full weight in this case.

4. The Ireneinc methodology cannot establish that LCZ criteria are met for this title

The Ireneinc review is a desktop study. No site visit was conducted at [REDACTED], and no direct consultation occurred with us as landowners. A desktop methodology assessing Tinderbox as a broad area cannot reliably distinguish between truly conservation-significant land and cleared, well-managed pasture within the same locality.

Where a desktop review cannot positively establish that the LCZ application criteria are met for a specific title, the appropriate course — consistent with Section 8A Guideline No. 1 and the Council’s own reduced risk appetite — is to apply the less-restrictive zone that aligns with the established use.

We are willing to facilitate a site visit at the Commission’s convenience and to provide aerial imagery and Title records if that would assist the Delegates.

5. Practical impacts of LCZ application

LCZ application is not zoning-neutral. It would shift primary uses and essential rural-residential infrastructure on this property — livestock shelters, fencing, sheds — from Permitted to Discretionary. That outcome:

- Removes the incentive for active land management and replanting by making routine improvements subject to discretionary planning processes;
- Imposes consultant-report costs on landowners to demonstrate that ordinary farming infrastructure does not impact landscape values that, on this title, are largely absent;

- Creates planning uncertainty that, as recent reporting has documented, is already affecting property valuations and bank lending across affected Kingborough properties.

Conclusion

We request that the Commission reject the Ireneinc recommendation for Title [REDACTED] and apply the Rural Living Zone. RLZ is consistent with Section 8A Guideline No. 1, with the property's 45-year history of established use, with the like-for-like translation of former ELZ land, and with the Council's own acknowledgement that the LCZ has been over-applied in some areas.

We would welcome the opportunity to address the Commission directly at any future hearing, and to host a site visit if that would assist.

Yours sincerely,

[REDACTED]

Kelly Ruth Bruce

[REDACTED]

Graham James West

[REDACTED], Tinderbox TAS 7054

References

- Tasmanian Planning Commission, Direction 69 (10 October 2025).
- Ireneinc Planning and Urban Design, Response to Direction 69 — Planning Authority Report (20 March 2026).
- Section 8A Guideline No. 1 — Local Provisions Schedule (LPS): zone and code application, Tasmanian Planning Commission.
- State Planning Provisions, clause 22.0 — Landscape Conservation Zone.
- Kingborough Council, news release: "Independent Review Report" (11 March 2026), citing Mayor Paula Wriedt.
- Tasmanian Planning Commission letter to landowner (Reference DOC/26/36829), 2 April 2026.