
From: claire prior [REDACTED]
Sent: Tuesday, 28 April 2026 8:37 PM
To: Kingborough LPS
Subject: CM: Representation #120
Attachments: TPC letter NO LCZ - Snug Tiers CP GM.docx; Snug Tiers Living Intent - map b.pdf; Snug Tiers Settlement by lot - map a.pdf

Good evening,

Please find attached letter and relevant attachments.

Kind regards,
Claire

Ph. [REDACTED]

Name(s)	Claire Prior Gavin McAuliffe
Date	28/4/26
Property Address	██████████, Snug
Representation	#120
Requested Zone	Rural Living Zone

To the Tasmanian Planning Commission,

Hello, our names are Claire Prior and Gavin McAuliffe. We currently have a representation in for the current Kingborough LPS process. Thank you for the chance to add more information about our property at ██████████, Snug, and specifically in response to the IreneInc review.

We object to its rezoning under the Kingborough Draft LPS and IreneInc review to the Landscape Conservation Zone (LCZ). Applying LCZ is inconsistent with section 34 of the Land Use Planning and Approvals Act 1993 (LUPAA), the LPS Section 8A Guideline No. 1, and the Southern Tasmania Regional Land Use Strategy (STRLUS).

Rural Living Zone (RLZ) C would be more suitable for our lot size and plans in future. We respectfully ask the Commission to apply this zone, in line with the original purchase, zoning allowances, and the site's current or future residential use. RLZ is also proposed for adjoining properties at ██████████.

We purchased ██████████ under the Environmental Living Zone with the particular purpose of rehabilitating the land. We have invested funds and undertaken hours of intensive labour to remove pest species, maintain roads and trails, designed landscaping that lowers fire risk using extensive stone mulching and low fire risk plants and installed extra water supplies.

While we agree that Tasmania's landscapes should be protected, it can be done best through RLZ as it has been done historically through ELZ and Rural Residential zonings. Rezoning to LCZ would harm our continuous use of the land as allowed when purchased.

LCZ DOES NOT COMPLY WITH LUPAA ZONE GUIDELINES

Section 34 of LUPAA says the Commission must check if the LPS meets the Act's criteria, including zone guidelines. LCZ 4(a) states that LCZ should NOT be used where the land's '**priority is for residential use and development**'. The guidelines say LCZ is not for large residential lots 'characterised by native vegetation cover and other landscape values.'

My property is currently zoned Environmental Living (ELZ). The **primary use and strategic intention of the land is and has always been residential**. It has a dwelling built in 1991, with at least one other structure we believe was built during the 1960s. It has been occupied continuously, and is serviced by electricity. There's no evidence the land's primary use is anything other than residential.

LUPAA guidelines also state LCZ is not a replacement for ELZ. The priorities don't match: ELZ Living priority permits dwellings, but LCZ prioritises conservation with discretionary dwellings.

In correspondence with the Planning Authority, the TPC noted that the LCZ "appears to have been used ...to replace ELZ", a policy or strategy shift which should be 'comprehensively justified'. Neither the draft LPS nor IreneInc's review has provided detailed, site-specific reasons for changing my land's priority. They based their decision on general landscape values and rural settlement judgments, neither had community input.

LCZ DOES NOT COMPLY WITH LUPAA OBJECTIVES

LUPAA Schedule 1, Objective (b), aims for 'fair, orderly, and sustainable' land use. Applying LCZ conflicts with this objective. It is unfair to remove permitted residential use; applying LCZ represents a **net reduction** in existing land use rights. The clear majority of Tasmanian councils moving to the Statewide Planning Scheme applied the LCZ

sparingly or not at all. Only a few used it moderately or heavily. Most councils (such as Tasman) translated ELZ directly to the Rural Living Zone, yet Irenelnc chose as their model three councils that applied LCZ heavily.

Many councils, including Kingborough in 2019, recognised that LCZ could lower property value, affect insurance and finance, and prevent future dwellings on empty blocks – not meeting the goal of sustainable development that supports communities to provide for their **social, economic** and cultural well-being...’ (clause 1 (a), Schedule 1 – Objectives).

RLZ IS THE APPROPRIATE ZONE

RLZ Guideline RLZ 1(a) suggests the RLZ should be applied to residential areas with larger lots used for residential and lower order rural activities, while prioritising residential amenity. This fits my property.

RLZ Guideline RLZ 2(b) states RLZ may be applied to ELZ land where the primary strategic intention is for residential use in a rural setting and a **similar** minimum allowable lot size is being applied. Our access, services and property size of 14.26 ha aligns with RLZ C with a minimum lot size of 5 ha.

THE IRENEINC EVALUATION PATHWAY (DECISION TREE)

Irenelnc uses a decision tree to decide zones. On Day 2 of the review hearing, the Commission was told that it’s a tool, not a rule [Kate Heckelmann, 05:53:00], and alternatives can be used with good evidence. Even so, applying the evaluation pathway correctly, my property meets the RLZ criteria rather than LCZ.

EVIDENCE OF STRATEGIC INTENT FOR LIVING

Both the original LPS and Irenelnc’s report lack clear definitions of “primary strategic intent.” They ignore existing rural-residential settlements, historical land use, cultural attachment, community ties, and intergenerational living. Neither STRLUS nor the Kingborough Strategic Plan restrict rural living growth. Past land allocations, subdivision approvals, and development applications show that residential use is the ‘strategic intent’ of the land.

The review for my locality (Snug/Coningham) is stated as generally meeting strategic intent for living. My property has an established dwelling, outbuildings, and signs of residential activity.

EVIDENCE OF RURAL LIVING SETTLEMENT

Irenelnc’s review states that the Snug Tiers community meets the ‘strategic intent for living’ because there is ‘evidence of residential uses scattered throughout’. However, Rural Living Settlement status has been mostly denied, with the report citing a ‘lack of consistent subdivision pattern with lots of the size which would contribute to a rural living settlement’.

This assessment appears biased, primarily due to two judgments. First, it favours smaller lot sizes, disregarding RLZ subcategories that limit subdivision of lots under 20ha and also minimises development on larger lots through needs of access and services (note: there is NO maximum lot size in RLZ).

Secondly, the ‘consistent pattern’ is only recognised if it resembles urban cul-de-sacs or road clusters, ignoring rural and lifestyle properties that are naturally sited around topographical features, inherited large lots, or purchased with future rural living in mind. For example, in Snug Tiers there’s a **clear pattern** of large lot subdivision facing into the valley, on a Northwest to Southeast alignment, around the topography.

These biases overlook the fact that residents live just minutes from Snug township, where they shop, support local businesses, send children to school, recreate, and work. The reliance on a desktop analysis, which can’t see beyond tree canopies and often lacks on-the-ground insight, leads to subjective judgments about rural settlements. For example, the Irenelnc report notes that three adjoining properties on Snug Tiers Road display ‘a consistent pattern of rural living,’ as does my property, yet it is still proposed to be part of the LCZ.

Without applying rural living settlement criteria consistently and with ground-truthing, the evaluation then fails to consider whether landscape values can be managed through planning codes **nor recommends any other**

outcome than LCZ, unless the area has no landscape values, which is unlikely given its rural nature and the subjective, non-consulted definition of ‘landscape values’.

Homeowners in my area **strongly disagree** with IrenelInc’s narrow assessment. We can demonstrate that the Snug Tiers community meets all three rural living settlement characteristics:

1. A pattern of **at least** 10 smaller blocks, **generally** between 1–15 ha, with a consistent lot pattern. The attached map (a) shows my property among 41 others in Snug Tiers, with lot sizes from 0.18ha to 29.89ha, a pattern established since the early 1800s. As you can see all properties can be managed by available RLZ lot sizes to minimise subdivision potential. Our settlement at Snug Tiers adjoins property proposed for RLZ at [REDACTED] and [REDACTED]
2. A pattern of ‘detached dwellings and outbuildings’, which IrenelInc admits is “generally met, as many lots have identified residences and cleared areas”. As you can see from the attached map (b), you can see that dwellings and outbuildings are located on nearly every property in my community. This also includes properties with development applications or strategic plans for living on empty blocks. Our property has the main dwelling plus sheds that we currently have a Development Application lodged to improve our outbuildings.
3. Visual evidence of rural activities such as ‘clearings, grazing and hobby farming etc’. IrenelInc states that “some residential uses are associated with farming”, yet at the review hearing, it was clarified that the criteria list is only an example. Our property shows a combination of cleared areas, gardens and grazing areas. Our paddocks are alternately (and sometimes concurrently) cropped by both sheep and native animals.

ASSESSING LANDSCAPE VALUES

The STRLUS CV 4.1 states that **community consultation** should determine landscape values. IrenelInc admits in review hearings that they didn’t consult. This means the assessment of whether properties meet ‘landscape values’ is now entirely based on the Planning Authority’s judgment.

IrenelInc’s choice of dictionary terms ‘hilly places’ and ‘bushland,’ and focus on tree-centric descriptions, i.e.: ‘predominantly bushland,’ ‘allotments set within native bushland,’ ‘dwellings are ... nestled into vegetation,’ and ‘bushland backdrop’ are the main basis for our locality’s landscape values.

This overlooks the value of other features like waterways, fields, foraging areas, and the importance of varied terrain (grasslands, clearings, open areas, trails) for different species habitat. Such diversity is vital for a healthy rural or biodiverse landscape and aligns with evidence that people prefer varied scenery, including homesteads, sheds, and domestic animals.

The lack of consultation and reliance on terminology that favours the Planning Authority’s narrow definition results in a flawed or biased assessment:

1. Large areas of bushland and vegetation alone do not justify LC zoning. As confirmed at the TPC review hearing on 14/4/26, “LCZ is not for managing vegetation—that is the role of the Natural Assets Code”, which applies to all properties. IrenelInc stated that for properties in our area proposed RLZ, overlays will likely (and logically) protect the natural values they identify.
2. Describing dwellings and large lots around topography as ‘scattered’ implies no strategic planning or intent, which is inaccurate. You can see on the attached map (b) that there’s overwhelming strategic intent/logic.
3. Biased reasoning: noting large vegetated spaces on rural properties (and comparatively less dwelling area, as set by development criteria) is worded in the report as though this is a choice or evidence that OUR preference

was conservation over living: “integration of residential use ... is largely within a small proportion of a parcel”, “the remaining natural setting reinforces the area’s natural values”.

4. Owning private property in natural settings doesn’t mean residents prioritise landscape conservation over residential amenity. Irenelnc implies this repeatedly, both in review references to “built form” being “secondary to the natural landscape” and, in hearings, that lots in bushland reinforce or “contribute” to the area’s “natural values”. Snug Tiers residents purchased homes in natural areas because they **value the contribution this makes to their Rural Living**, not to add to Kingborough’s undefined “landscape values”.
5. Irenelnc relied on overlays in a desktop assessment to identify landscape or environmental features across the locality, ignoring the challenges of topography and identifying these (i.e., through the tree canopy) by aerial images alone. Evidence-based alternative reports or maps of individual properties’ natural settings are needed.
6. The scenic protection overlay is broadly applied to properties over 100m above sea level. The photos used in the report, sourced from realestate.com, are aerial shots intended for sale and don’t accurately reflect what is seen from local roads, towns, or waterways. Even Irenelnc admits that in the locality “bushland, landform, and ridgeline features ... remain visually intact,” and the reality is that the siting of homes on Snug Tiers means they cannot be seen from these vantage points.

SPOT ZONING, SPLIT ZONING AND FRAGMENTATION

The TPS aims to prevent spot zoning, yet Irenelnc suggests Rural/LCZ split zones on some properties in my locality, which could cause mismatched zone priorities and land use. It’s also **more logical** that the rural activity forms part of an **overall Rural Living community pattern**. There is arguably less fragmentation created by leaving one spot zoned Rural property within an RLZ settlement, than proposing multiple restrictive split zonings.

Irenelnc have also shown that their application of this method is inconsistent. For example, a large lot of 108.84ha at [REDACTED] is split zoned Rural/RLZ and abuts ELZ, RLZ, and Low Density Residential zones, while smaller ELZ parcels have been denied RLZ at all.

BALANCING LANDSCAPE VALUES AND LAND USE

In their S35F report, Kingborough council states that applying the Rural Living zone to rural residential areas **may** “risk that the predominant land use pattern and characteristics of the area could be eroded over time...”. This ignores the long-standing rural nature of the area and the fact that rezoning to LCZ would significantly restrict ongoing private land use, **absolutely guaranteeing** a change in “character and amenity”.

The report notes a “medium/high” risk of RLZ uses in this locality but doesn’t specify what those risks are, how **likely** they are considering the topography, vegetation, and existing settlement patterns, or whether they could be managed through overlay codes, SAPs, or other mechanisms. Irenelnc acknowledged that future reviews could reconsider RLZ decisions, and that any short-term risks could be mitigated. This supports the case that RLZ is appropriate for my property, not LCZ.

At the review hearings, Kate Heckelmann admitted there are **no land uses** that would impact landscape values which aren’t already managed by building codes or overlays. This suggests overlaps through stricter zoning isn’t necessary because landscape “values can be appropriately **managed through the application and operation of the relevant codes**” (Kingborough LPS guidelines, RLZ 4b).

Assuming LCZ is the only way to protect generic ‘landscape values’ ignores existing land management, bushfire mitigation efforts, biodiversity initiatives, and conflicts with the intent of the evaluation pathway of **balancing**

landscape protection with existing land uses. It is illogical to rezone properties to LCZ to 'protect' the landscape that we've proven we can already care for on our own.

IreneInc suggest that LCZ zoning near Snug Recreation Area is necessary to provide connectivity to the EMZ and act as a buffer between living zones. Not only have National Parks (EMZs) already been put aside for state management, nearly every other Tasmanian council placed other living zones: Rural Living, Residential, Rural, Agricultural, and even Industrial zones next to National Parks or EMZs. It is also contradictory to the placement of Low Density Residential lots beside Coningham's EMZ reserve.

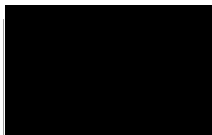
Rural Residential owners provide a significant free workforce to manage areas on the interface of bush, coast, country and town. They need to be able to continue to mitigate natural disaster, care for native species, maintain trails, carriage ways and fire access, and remove invasive pests, which is at risk in the LCZ. Our efforts help protect biodiversity, reduce financial and disaster risks, and improve resilience and food security for all - work that cannot be replaced by council staff or State Parks and Wildlife service.

SUMMARY

Throughout the LPS process, Kingborough Council has failed to consult the community and has not followed the objectives of LUPAA, which emphasise fair land use and community involvement. Their focus on environmental protection seems aimed at removing private land rights, risking long-term harm to residents' well-being and creating potential future financial and legal challenges.

I appreciate the TPC taking heed of the concerns within this letter and respectfully ask for rezoning properties from ELZ to more restrictive zones to stop. Specifically, I request that the TPC direct my property to be zoned from the ELZ to the Rural Living Zone C, with environmental priorities managed by existing natural values codes.

Yours sincerely,



Claire Prior and Gavin McAuliffe

, Snug

28/4/26

Email to: KingboroughLPS@planning.tas.gov.au



SNUG TIERS RURAL LIVING STRATEGIC INTENT
