
From: zoe.barker [REDACTED]
Sent: Monday, 4 May 2026 10:25 AM
To: TPC Enquiry; Kingborough LPS
Subject: [REDACTED] Barker_ kingborough draft local provisions scedule
Attachments: Inconsistency_Analysis_Per_Locality.docx; 1 [REDACTED] Attachment A.pdf; Private Timber Reserve.png; [REDACTED] Barker submission for RLZ.pdf; Zone_Impacts_Reference.docx; Collective_Cover_Submission_[REDACTED] and [REDACTED].pdf

[REDACTED]

Hi,

Please find submission documents.

From Zoe

[& Confidentiality Policy.](#)

WRITTEN SUBMISSION TO THE

TASMANIAN PLANNING COMMISSION

Kingborough Local Provisions Schedule — Direction 69 / Ireneinc Report

THIS is part of the collective submission: [REDACTED] and Upper older Bernie's Rd

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 from me or 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

Landowner name(s)	Zoe Barker
Property address	[REDACTED] Margate, 7054, Tas
Title reference (folio)	[REDACTED]
Lot size (approx.)	8 hectares
Locality	<i>Margate</i>
Current IPS zone	<i>Environmental Living Zone (ELZ)</i>
Draft LPS exhibited zone	<i>Landscape Conservation Zone (LCZ)</i>
Ireneinc recommended zone	<i>Landscape Conservation Zone (LCZ) — unchanged</i>
Zone sought in this submission	<i>Rural Living Zone (RLZ) — specify subcategory below</i>

PART C — STATEMENT OF POSITION

I submit that the application of the Landscape Conservation Zone (LCZ) to my 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).

I request that the Commission determine that the Rural Living Zone (RLZ) is the appropriate zone for my property under the draft Kingborough LPS.

The specific subcategory I seek is:

- Rural Living Zone C (minimum lot size 5 ha) — reflecting the existing lot pattern in my locality

The lot sizes directly around my block are between 5 – 12 ha

PART D — GROUNDS FOR THIS SUBMISSION

Please Note:

"I am one of 14 landowners in [REDACTED] and Old Bernies Road 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." I have attached this collective submission as part of my submission.

The arguments below are organised by pillar. Work through each one and personalise the evidence placeholders. Arguments that do not apply to your property may be removed, but retaining more arguments generally strengthens a submission.

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

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. LCZ is absolutely NOT the least restrictive option.

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 used for residential purposes throughout the period it has been zoned Environmental Living Zone (ELZ) under the Kingborough Interim Planning Scheme 2015. During my tenure (2012 onwards), the primary use and strategic intention of the land is and has always been residential.

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.

The Ireneinc report does not identify any specific landscape values on my title. The The landscape value assessment is made at locality level without reference to the characteristics of my individual property.'

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 a mix between residential and lower order rural activities, 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.

'My property has an area of 8ha. This is consistent with the RLZ C minimum lot size of 5ha and does not provide for further subdivision under that subcategory.' I am using my block for Residential and vegetable/ orchard gardens only.

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

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.

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.

'My property is situated within a cluster of 19 properties along [REDACTED] each with lot sizes ranging from approximately 2 ha to 10 ha. The settlement pattern is consistent and has been established since 2010 when the last subdivision was completed. Neighbouring properties contain detached dwellings with associated rural activities including [hobby farming / grazing / orchards / etc.].' the subdivision my property sits at the top of [REDACTED] is one of 9 properties that were subdivided prior to 2009. first property sold in 2009- property sizes, boundaries and primary use of the land has remained the same since 2009. All properties are used for residential use and orchards/ veggie gardens. Some properties at lower [REDACTED] have grazing animals.

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].

My property is entirely covered by the 'priority vegetation area' (PVA) under the NAC. These overlay controls provide adequate management of any landscape values present, without the need for the more restrictive LCZ.'

The land is also a declared Private Timber Reserve (PTR) under the Forest Practices Act 1985 and is actively managed for small scale timber production, including personal firewood collection. This represents ongoing low-intensity primary production associated with rural residential use and demonstrates that the land is managed for productive outcomes rather than conservation as the dominant purpose.

It is noted that the Ireneinc review states that PTR status does not dictate the underlying zoning and that zoning should instead be based on land characteristics. While this is acknowledged, assessing individual land characteristics from a desktop survey does not adequately assess the existing use, management and individual characteristics of the property.

Section 20(7) of the Land Use Planning and Approvals Act 1993 provides that planning schemes cannot prohibit or restrict forestry operations on PTR land. While forestry operations are exempt, applying the LCZ to the remainder of land use creates an inconsistent planning outcome.

Our property contains native vegetation; however, this should not equate to the automatic application of a conservation zoning. The property, and specifically the native vegetation is being constantly managed for timber production purposes. Regular activities include thinning, selective harvesting, track construction and maintenance, clearing of undergrowth and clearing around house site for Fire management.

The declaration of a PTR is a formal recognition that the land is to be managed for timber production, which is directly relevant when determining whether conservation or productive use is the dominant purpose. Treating PTR land as neutral in zoning considerations overlooks that it demonstrates the land is actively managed for production rather than conservation, which is the reality for our property.

*** A private timber reserve (PTR) established under the Forest Practices Act 1985 covers part of my property and significant parts of the land of my immediate neighbours, all of whom are also contesting the application of LCZ. A PTR is a statutory instrument that imposes legally binding obligations on how vegetation within the reserve may be managed. It operates independently of and in addition to the planning scheme.*

The existence of the PTR means that the vegetation management and conservation outcomes that LCZ is said to achieve are already secured by primary legislation on this land. This is a stronger and more durable form of protection than zone-based controls, which can be amended through the planning scheme. Applying LCZ on top of an existing PTR is therefore redundant for the purpose of vegetation and landscape value protection, and provides no additional statutory benefit that justifies the significant restriction on residential use rights that LCZ imposes.

My property was clear felled ? decades ago, therefore no trees are of significant size/ girth or have significant habitat that older larger trees would have.

The LCZ is intended for land where the priority is protection of landscape and vegetation values and where development is limited. Given the existing dwelling, cleared residential curtilage, access infrastructure, and ongoing forestry activities, the subject land does not exhibit the characteristics typically associated with LCZ land. This mixed residential and productive use aligns with the intent of the Rural Living Zone. Along with the PVA LCZ is not appropriate.

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 C 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 has an area of 8 ha. Under RLZ C, the minimum lot size is 5 ha. Subdivision of my property under this subcategory would not be possible addressing any concern about intensification

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.

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 is used for Residential and gardening use and small scale timber production- it does not have any other visible rural activity.

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.

There are in fact properties on [REDACTED] No: 1- 30 that are within 1-2km, share most of the features and aspects as my property that have been granted the RLZ. There is no principled basis on which to treat my property differently.

D4 — Consistency and fragmentation arguments

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.

As mentioned in D3.4 there are already nearby properties that have been granted RLZ. Also just over the crown ridge line in kaoota, many properties having larger lot size than mine in Houn council are zoned RLZ

D5 — Council's approach has been historically inconsistent

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.

D6 — Any landscape values present can be managed without LCZ

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 within the SPC/ PVS overlay subject to the NAC. These overlay controls provide adequate management of any landscape values present, without the need for the more restrictive LCZ.'

further supports the appropriateness of RLZ rather than LCZ for my property.

My property is currently zoned Environmental Living Zone under the Interim Planning Scheme — a zone specifically designed to facilitate residential use within a bush setting. It is a residential zone, not a conservation zone. The appropriate translation of that intent into the TPS framework is RLZ, not LCZ.

This conclusion is strongly supported by the treatment of directly comparable properties in the adjacent Huon Valley LGA (title ref: 245440/1, 111379/1, 13679/3, etc). Approximately 90% of properties in a largely homogenous group adjoining the Snug Tiers Nature Recreation Area — the closest of which is under 3km from my property — have been determined to be appropriately zoned RLZ under the finalised Huon Valley LPS (effective 20 July 2024). These properties are materially similar to mine in appearance, vegetation character, and use. They sit within the same topographic and visual landscape, on the same ridge system, abutting the same reserve.

The only difference between those properties and mine is the municipal boundary between Huon Valley and Kingborough, and the recreation reserve itself. Neither is a planning consideration under the SPP guidelines. The same Guideline No. 1 criteria that produced an overwhelmingly RLZ outcome for that homogenous group must, on a consistent application, produce the same outcome for my property. Council has not identified any specific characteristic of my land that distinguishes it from those properties in a way that would justify LCZ where RLZ was accepted as adequate less than 3km away.

The TPC panel acknowledged at Day 20 [02:33:54] that the PVA overlay and Scenic Protection Code do the landscape-protection work in many cases. Those same overlay controls apply — or will apply under the incoming LPS — to my property and to the comparable Huon Valley properties. The combined effect of RLZ zoning and these overlay controls is sufficient to manage any landscape values present, consistent with the approach already accepted for the materially identical properties immediately over the municipal boundary.

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

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 — Margate section, the comparison with Electrona shows that Ireneinc applied near-identical landscape value descriptions and settlement findings to both localities yet recommended LCZ for Margate and RLZ for Electrona.

The sole differentiator cited — the elevated and visually prominent ridgeline landscape character associated with areas such as Van Morey Road — does not apply to my individual property in a manner that justifies LCZ, because the land is already developed and used for residential purposes, forms part of an established rural-residential settlement pattern, and is subject to existing planning controls that adequately manage visual and landscape impacts.

I request that the Commission have regard to Attachment A in assessing this submission, and in particular to the specific comparison rows identified above, which demonstrate that the Ireneinc recommendation for this locality is inconsistent with the outcome produced by the same evaluation framework applied to comparable localities elsewhere in the municipality.

I request that the Commission have regard to Attachment A in assessing this submission, and in particular to the specific comparison rows identified above, which demonstrate that the Ireneinc recommendation for this locality is inconsistent with the outcome produced by the same evaluation framework applied to comparable localities elsewhere in the municipality.

PART E — LOCALITY-SPECIFIC CONTEXT

This section is for you to add locality-specific context. Refer to the Ireneinc Locality Report for your area (Locality Parts 001–006) and the Day 20 hearing guide for any specific comments made about your locality. Insert relevant information below.

My property on [REDACTED] Margate, is a small number of properties at the top of [REDACTED] that have been proposed as LCZ whilst the remaining 8 properties which have similar landscape on lower [REDACTED] are proposed as RKZ

Logging regrowth

The locality surrounding the property was historically logged approximately 40 years ago and is now characterised by regrowth vegetation rather than undisturbed native forest.

This reduces the relative landscape sensitivity compared to areas of intact vegetation and supports the suitability of 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.
- I request that the folio and the register [redacted] at [redacted] margate, be included in the Rural living zone (C) in the Kingborough local provisions schedule.

Signed: Full name:	Date: 4/5/26 Contact email / phone:
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LODGEMENT: Email your completed submission to 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

WRITTEN SUBMISSION TO THE TASMANIAN PLANNING COMMISSION

Kingborough Local Provisions Schedule — Direction 69 / Ireneinc Report

COLLECTIVE COVER SUBMISSION

Locality	██████████ and Old Bernies Rd, 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	██████████ Margate	██████████	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 Old Bernies Rd. 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 Pelterata/Kaoota is the most comparable locality to ours. Like our properties, properties in Pelterata/Kaoota 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 Old Bernies Rd, as stated above.

KINGBOROUGH LOCAL PROVISIONS SCHEDULE — DIRECTION 69

ATTACHMENT A

Inconsistency Analysis — Ireneinc Zone Evaluation

PART 1 — SUBMISSION IDENTIFICATION

Submission reference	Zoe Barker — [REDACTED] — Direction 69
Property title reference	[REDACTED]
Locality	Margate
Submission template used	Contest LCZ, seek RLZ
Date of attachment preparation	04.05.26

PART 2 — PURPOSE OF THIS ATTACHMENT

This attachment has been prepared to support the written submission identified above. It provides comparative analysis of the Ireneinc zone evaluation framework as applied to the landowner's locality, compared against one or more similar localities that received a different — and more favourable — zone outcome using the same or very similar evidence.

The purpose is to demonstrate to the Commission that the Ireneinc recommendation for this locality is inconsistent with the outcome produced by the same evaluation framework applied elsewhere in the municipality, and that there is no clear reason to treat this locality differently from the similar localities identified.

This attachment should be read alongside the written submission, in particular the arguments set out in Part D (D7 — Inconsistency in the Ireneinc evaluation framework) and Part E (Locality-Specific Context) of that submission.

PART 3 — HEARING EVIDENCE SUPPORTING THIS ANALYSIS

The following statements from the Day 19 and Day 20 TPC hearings directly support the use of a comparative inconsistency analysis as evidence in a submission:

Speaker and timestamp	Statement and relevance
Speaker and Statement and relevance timestamp	
Delegate Rohan Probert [01.07.48]	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.

Delegate Dan Ford At Kettering West: effectively forced the concession that the Priority Vegetation [02:33:54] Area (PVA) overlay does the landscape-protection work, not the zone. This is directly relevant where PVA applies to the subject property and LCZ has been recommended — the same logic that produced RLZ at Kettering West Groombridges applies.

Kate Heckelmann Conceded that the evaluation framework is a tool, not a legal requirement.

(Ireneinc)[05:53:00] Submissions can move away from it if supported by good evidence. This confirms that identifying inconsistencies in the framework's application — as this analysis does — is a legitimate basis for a submission.

Chair Nick Heath LUPAA [06:45:48] Confirmed that the Commission will decide on the basis of section 34 criteria (Zone Guidelines and LPS criteria), not on the basis of Council's position or the Ireneinc framework alone, The Zone Guidelines require consistent application of zone criteria — inconsistency of the kind documented in this attachment is therefore directly relevant to the Commission's assessment under the law.

PART 4 — MOST RELEVANT COMPARISONS FOR THIS SUBMISSION

The following table identifies the specific comparisons within the attached Inconsistency Analysis that are most directly relevant to this submission. The full comparative tables for this locality appear in the pages that follow.

Characteristic compared	Similar locality cited in Attachment A	Why this comparison supports my submission
Landscape value and Albion residential settlement pattern	Heights & Bonnet Hill	residential lot sizes. Albion Heights received Rural Living Zone despite these characteristics, demonstrating that landscape values of this type can be appropriately managed under RLZ. My locality shares these same characteristics, yet has been recommended for LCZ, with no clear or consistent basis for the different outcome.
Risk rating and ability of Kingston West (compared with planning controls to manage Albion Heights) landscape values		Why this comparison supports my submission: The Ireneinc assessment applied a similar "medium" risk rating to both areas, yet reached different zoning outcomes. In Albion Heights, RLZ was applied on the
Both areas are described as elevated bushland with vegetated ridgelines, dispersed dwellings, and similar rural-		

basis that planning controls and minimum lot sizes adequately manage landscape values. The same

Lot size and established rural- Kettering East & Oyster Cove residential use

is considered appropriate for RLZ. My property is already used for residential purposes and aligns with this established rural living pattern, making LCZ an inconsistent outcome.

Settlement pattern and ability Margate & Electra of planning controls to manage landscape values

reasoning should apply to my property, where existing planning controls already regulate vegetation and development.

Why this comparison supports my submission: Kettering East was recommended for full Rural Living Zone with lot sizes and residential settlement patterns comparable to my locality. This demonstrates that land of a similar scale and character

Within the Margate and Electra locality, areas with an established rural-residential settlement pattern were recommended for Rural Living Zone on the basis that planning controls (including overlays and minimum lot sizes) are sufficient to manage landscape values. My property exhibits the same characteristics, including established residential use and a consistent settlement pattern, yet has been included in the Landscape Conservation Zone. This represents an inconsistent application of the same assessment criteria within the same locality.

PART 5 — PROPERTY-SPECIFIC DIFFERENTIATION

This attachment identifies inconsistencies at the locality level.

The submission itself provides the property-specific evidence explaining why those inconsistencies apply to this individual property.

In summary, the following characteristics of this property are consistent with the similar localities that received RLZ, and are not consistent with the reasons cited by Ireneinc for LCZ retention:

- The property contains an established dwelling and is used for ongoing residential purposes, consistent with rural living settlement patterns identified in comparable RLZ localities.
- The existing Crown road access is consistent with rural-residential use and the Rural Living Zone, but not with the Landscape Conservation Zone.

- The property is subject to a Private Timber Reserve, which creates a conflict with the intent of the Landscape Conservation Zone and demonstrates that LCZ is not an appropriate or coherent zoning outcome.
- The locality surrounding the property was historically logged approximately 40 years ago and is now characterised by regrowth vegetation rather than undisturbed native forest. This reduces the relative landscape sensitivity compared to areas of intact vegetation and supports the suitability of RLZ

PART 6 — VERIFICATION AND PRIMARY SOURCES

All comparisons in this attachment can be verified against the following primary source documents, which are publicly available:

- Ireneinc Locality Baseline and Alternative Zone Evaluation (available on the TPC website)
- Ireneinc LCZ Review and Findings Report (available on the TPC website)
- TPC Day 20 hearing recording — Kingborough Council YouTube channel (available until midnight 19 June 2026)
- Section 8A Guideline No. 1 — LPS Zone and Code Application (available on the TPC website)

The timestamps in this attachment (e.g. [01 show how far into the Day 20 YouTube recording each exchange takes place. To verify a quoted exchange, navigate to that timestamp in the recording. The full transcript is also available as a supporting document to this submission.

PART 7 — DECLARATION

I confirm that:

- 1 . This attachment has been prepared to support a formal written submission to the Tasmanian Planning Commission in relation to the Kingborough Local Provisions Schedule (Direction 69).
- 2 The comparisons contained in this attachment are based on publicly available Ireneinc reports and TPC hearing records, and I have made reasonable efforts to ensure accuracy.
- 3 I am the owner or authorised representative of the property identified in Part 1 above.

Full name: Zoe Barker



Contact email / phone:



KINGBOROUGH LPS — IRENEINC ZONE REVIEW

Why Your Property Fits Rural Living Zone — 20 Locality Comparisons

⚠ DEADLINE: All submissions must be lodged by midnight Monday 4 May 2026. This document supports your submission — it does not replace the submission templates or professional planning advice.

PURPOSE: This document is structured into 20 sections — one for each mainland Kingborough locality. Each section contains a side-by-side comparison table showing how your locality was described and assessed by the consultant (Ireneinc) against a similar locality that was recommended for Rural Living Zone using the same types of descriptions and evidence. The goal is to help you show the Commission why your property should be in Rural Living Zone, by pointing to similar properties that were recommended for exactly that.

IMPORTANT NOTE ABOUT THE HEARING: The Day 19 and Day 20 hearings in April 2026 were for the Ireneinc report to be presented to the Tasmanian Planning Commission (TPC). During the hearing, TPC delegates asked questions about some recommendations. Where delegates did not ask questions about a particular area, this does not mean they agreed with the recommendation — in a long hearing covering 20 localities, time constraints meant many points were not questioned on the day. The recommendations in the Ireneinc report are not final decisions. The Commission will make its own decision based on all submissions and the statutory criteria in the Zone Guidelines. Your submission is your opportunity to put forward evidence about your specific property.

HOW TO USE THIS DOCUMENT: (1) Find the section for your locality. (2) Look at the comparison table — the left column shows how your locality was described; the right column shows how a similar locality was described when it was recommended for Rural Living Zone. (3) Note where the descriptions are the same or very similar. (4) Read the 'What this means for your submission' paragraph at the bottom of each section. (5) Use those points in Part D and Part E of your submission template, and attach the relevant locality section as Attachment A.

GLOSSARY — TERMS AND ABBREVIATIONS USED IN THIS DOCUMENT	
Term	What it means
LPS	Local Provisions Schedule
TPC	Tasmanian Planning Commission — the independent body that reviews and approves the LPS. They hold public hearings and make the final decision on zone allocations.
Ireneinc	The planning consultancy (Ireneinc Planning and Urban Design) engaged by Kingborough Council to review the zone recommendations. Their report was presented to the TPC at the April 2026 hearings.
ELZ	Environmental Living Zone — the zone that most of the affected properties are in under the current (interim) planning scheme. This zone is being phased out and must be replaced with a new zone under the LPS.
LCZ	Landscape Conservation Zone. A zone that prioritises protecting landscape values such as native bushland, scenic views, and native vegetation.
RLZ	Rural Living Zone. Allows residential use (a home and associated rural activities like hobby farming) on larger lots in a rural setting. It has four categories — A, B, C and D — based on minimum lot size. This is the zone most similar to how properties in the Environmental Living Zone have been used.
RZ	Rural Zone. A zone for rural land where agricultural use is limited. It allows a range of rural activities but treats residential use as discretionary. It is less restrictive than LCZ but does not give residential use the same priority as Rural Living Zone.
EMZ	Environmental Management Zone.
SPA	Scenic Protection Area. A mapped overlay that applies to land with important scenic values — usually elevated or visually prominent land. Where this overlay applies, extra rules control building height and design to protect scenic views. Ireneinc used the presence or absence of this overlay as one reason for recommending LCZ or Rural Living Zone in some localities.
PVA	Priority Vegetation Area. A mapped overlay that identifies land containing important native vegetation — for example, threatened plant species or significant habitats. The Natural Assets Code (see below) applies to land within this overlay and limits how much vegetation can be cleared.
NAC	Natural Assets Code. A state-wide planning code that controls clearing of native vegetation within Priority Vegetation Areas and protects waterways and coastal areas. It applies regardless of what zone the land is in.
DP6 (Decision Point 6)	Step 6 in the assessment process (decision tree) that Ireneinc used to evaluate each locality. This step asks: 'Could the landscape values be protected if Rural Living Zone was applied, using the NAC, SPA, and other existing planning rules?' A 'yes' answer at this step supports Rural Living Zone. A 'no' answer supports LCZ.
UGB	Urban Growth Boundary. A boundary that separates urban areas (where growth is planned) from rural areas. Land inside the UGB is expected to develop at higher densities over time. The state planning strategy does not support Landscape Conservation Zone inside the Urban Growth Boundary.
STRLUS	Southern Tasmania Regional Land Use Strategy — the state government's planning strategy for the Southern region. It sets out policies for where growth should and should not occur. Zone recommendations in the LPS must be consistent with this strategy.
KIPS / Interim Planning Scheme	Kingborough Interim Planning Scheme 2015 — the current planning rules that apply until the new LPS comes into effect. Most affected properties are currently zoned Environmental Living (ELZ) under the KIPS.
LUPAA	Land Use Planning and Approvals Act 1993 — the Tasmanian law that governs planning schemes and the role of the TPC. Section 34 of this Act sets out the legal tests the TPC must apply when deciding whether the LPS is correct.
Zone Guidelines / Guideline No. 1	A document issued by the TPC that sets out the rules for which zone should be applied to which type of land. It is the main reference document for zone decisions in the LPS process. It includes specific rules for LCZ (rules LCZ 1–4) and Rural Living Zone (rules RLZ 1–4) that must be followed.
Risk rating (low / medium / high)	A judgement made by Ireneinc at Decision Point 6 about how likely it is that landscape values would be harmed if Rural Living Zone was applied instead of LCZ. TPC delegates confirmed at the hearing that these ratings are judgement calls — they are not defined legal thresholds. A medium or high risk rating does not automatically mean LCZ is required.

REGION 1 — KINGBOROUGH BUSHLAND SURROUNDS

1. Kingston & Kingston Beach [Kingston & Bushland Surrounds]

Ireneinc outcome: LCZ retained. Ireneinc recommendation at Day 20: but explicitly flagged as out of place — LCZ inside the Urban Growth Boundary is inconsistent with STRLUS [04:17:00–04:25:00].

Characteristic	Kingston & Kingston Beach — Outcome: LCZ retained	Albion Heights & Bonnet Hill — Outcome: Full RLZ
Ireneinc landscape value description	Residential on large bushland lots (1–6 ha); surrounded by urban residential; inside Urban Growth Boundary; Boronia Hill parkland connection	Elevated bushland; vegetated ridgeline landscape; dwellings nestled into vegetation; scenic backdrop to Channel; similar native vegetation character
Settlement characteristics found	Yes — consistent residential pattern on larger lots; recognisable subdivision pattern	Yes — rural living settlement; lots 2–25 ha; dispersed but recognisable settlement pattern between higher-intensity residential
Lot sizes	1–6 ha	2–25 ha (majority 2–5 ha)
SPA coverage	Partial	Partial
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium-high	Medium
DP6 — codes manage landscape values?	Not explicitly tested — LCZ retained on exhibited position	YES — 'sufficient mechanisms in the planning scheme to provide for appropriate management of landscape values'
Key differentiator cited	Located inside UGB; LCZ accepted as out of place for this process only	Located between higher-intensity residential uses; codes sufficient; min lot size prevents subdivision
Zone Guidelines basis	LCZ flagged as STRLUS-inconsistent by TPC — no positive Zone Guidelines basis explained	RLZ 1(a), 2(b); RLZ min lot size provides no further subdivision

Zone outcome for Kingston & Kingston Beach	Landscape Conservation Zone	⚠ INCONSISTENCY: The Landscape Conservation Zone was recommended despite the TPC explicitly acknowledging it is STRLUS-inconsistent. Albion Heights, with similar or more significant landscape values, was recommended for full Rural Living Zone. The UGB location is the only distinguishing factor cited — but this is a planning strategy consideration, not a Zone Guidelines criterion for LCZ.
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What this means for your submission: The TPC's own acknowledgement that LCZ inside the UGB is a STRLUS an inconsistency undermines the LCZ justification. If your lot does not contribute to the Boronia Hill bushland corridor and has cleared or developed character, argue that LCZ 1 threshold is not met on your individual title, drawing on the Albion Heights precedent where comparable vegetation and residential character produced RLZ.

2. Albion Heights & Bonnet Hill [Kingston & Bushland Surrounds]

Ireneinc outcome: Full ELZ → RLZ. Presented at the hearing [04:29:00–04:38:00]. Bonnet Hill LDRZ pocket outside UGB contested separately.

Characteristic	Albion Heights & Bonnet Hill — Outcome: Full RLZ	Kingston West (upper blocks) — Outcome: LCZ retained
Ireneinc landscape value description	Elevated bushland; distinctive ridgeline landscape; vegetated; dwellings on expansive parcels; scenic backdrop	Elevated bushland on upper blocks; similar ridgeline character; dwellings within vegetated setting — near-identical language to Albion Heights
Settlement characteristics found	Yes — semi-rural residential character; lots 2–25 ha; dwellings on expansive parcels	Yes — western residential cluster; upper blocks have larger lots with residences
Lot sizes	2–25 ha (majority 2–5 ha)	Variable; upper blocks >5 ha; western cluster 1–5 ha
SPA coverage	Partial	Partial (similar extent)
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium — Ireneinc recommended Rural Living Zone	Medium — used to justify LCZ for upper blocks
DP6 — codes manage landscape values?	YES — codes and min lot size manage values adequately	Partially — Ireneinc found increased building height from RLZ could become more visually prominent on upper blocks
Key differentiator cited	Located between higher-intensity residential zones; codes sufficient	Elevation and visual prominence of upper blocks — but same features are present in Albion Heights
Zone Guidelines basis	RLZ 1(a), 2(b) applied	LCZ 1 applied to upper blocks — but no more significant landscape value than Albion Heights
Zone outcome for Albion Heights & Bonnet Hill	Full RLZ — consistent	⚠ INCONSISTENCY: Ireneinc recommended full Rural Living Zone for this locality — it is an similar locality for LCZ-retained properties in Kingston West with similar elevation and vegetation character. The same medium risk rating that produced RLZ here was used to retain LCZ in the upper Kingston West blocks, despite near-identical landscape value descriptions.

Submission argument (for Kingston West properties referencing Albion Heights): Ireneinc's own finding here — that landscape values at this elevation are manageable by scheme codes and a min lot size that prevents subdivision — applies equally to upper Kingston West blocks. Cite the identical risk rating and near-identical landscape value language as evidence of inconsistency.

3. Tarooma & Kingston North [Kingston & Bushland Surrounds]

Ireneinc outcome: LCZ retained for majority; small group of western parcels noted as potentially suitable for Rural Zone. Ireneinc recommendation at Day 20: at medium-to-high risk.

Characteristic	Tarooma & Kingston North — Outcome: LCZ retained	Howden & Blackmans Bay — Outcome: Full RLZ
Ireneinc landscape value description	Elevated bushland; ridgeline character; scenic values; coastal interface on eastern parcels; connection to Hobart City Council boundary	Native bushland; towering Eucalyptus; distinctive vegetated ridgeline; residential settlement pattern follows topography; dwellings screened by vegetation; scenic views
Settlement characteristics found	Yes — residential uses occurring; interface with urban areas; western parcels have rural farming activities	Yes — rural living settlement; lots 1–5 ha; located between urban settlements at Blackmans Bay and Howden
Lot sizes	Variable — mix of larger and smaller lots near Channel Highway	1–5 ha (majority); two larger parcels ~10–16 ha
SPA coverage	Significant	Partial
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium-to-high	Medium
DP6 — codes manage landscape values?	Not clearly concluded — Ireneinc noted alignment with Hobart City Council LCZ across boundary as additional factor	YES — codes and min lot size manage values; 'low risk where RLZ is applied'
Key differentiator cited	Alignment with Hobart City Council LCZ across municipal boundary; eastern parcels have significant values	Residential settlement pattern predominates; codes sufficient; existing blocks already fully used
Zone Guidelines basis	LCZ 1/2(c) — but cross-boundary alignment is not a Zone Guidelines criterion	RLZ 1(a), 2(b)

Zone outcome for Tarooma & Kingston North	LCZ retained	⚠ INCONSISTENCY: Ireneinc used alignment with Hobart City Council's LCZ across the municipal boundary as a supporting reason for LCZ here. This is not a criterion under the Zone Guidelines (Guideline No. 1). Howden & Blackmans Bay, with similar or less significant landscape values and partial SPA coverage, was recommended for full Rural Living Zone at medium risk. Ireneinc also acknowledged that western rural-use parcels in Tarooma could be Rural Zone — suggesting the LCZ boundary was drawn more broadly than the evidence supports.
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What this means for your submission: Cross-boundary consistency with Hobart's LCZ is not a basis for LCZ under Zone Guidelines LCZ 1 or 2. The Zone Guidelines require site-specific landscape value justification. Cite Howden as similar — similar elevation, vegetation, and coastal setting produced RLZ at the same partial SPA coverage. For western rural-use parcels, Ireneinc's own concession that Rural Zone may be appropriate supports a T2 submission.

4. Kingston West [Kingston & Bushland Surrounds]

Ireneinc outcome: Mixed — LCZ for elevated upper blocks; RLZ for western residential cluster; extra western parcels added to RLZ. Ireneinc recommendation at Day 20: with case-by-case flexibility; Chair Heath noted small cleared residential lots inside LCZ can still be argued out [05:50:30].

Characteristic	Kingston West (LCZ upper blocks) — LCZ retained	Albion Heights & Bonnet Hill — Full RLZ	Howden & Blackmans Bay — Full RLZ
Ireneinc landscape value description	Elevated bushland; ridgeline; scenic backdrop — near-identical language to Albion Heights and Howden	Elevated bushland; vegetated ridgeline; dwellings nestled in vegetation; scenic backdrop	Vegetated ridgeline; residential settlement follows topography; native bushland; scenic views to/from properties
Settlement characteristics found	Yes — upper blocks have residential uses but less consistent pattern than western cluster	Yes — semi-rural residential; lots 2–25 ha; between higher-intensity zones	Yes — lots 1–5 ha; consistent pattern; between Blackmans Bay and Howden urban areas
Lot sizes	Upper blocks >5 ha; western cluster 1–5 ha	2–25 ha	1–5 ha
SPA coverage	Partial	Partial	Partial
PVA / NAC overlay	Yes	Yes	Yes
Risk rating applied	Medium (upper = LCZ)	Medium (→ RLZ)	Medium (→ RLZ)
DP6 — codes manage landscape values?	Ireneinc said codes were not enough — cited elevation and building height risk	YES — codes and min lot size adequate	YES — codes and min lot size adequate; 'low risk'
Key differentiator cited	Elevation/prominence of upper blocks; building height difference between RLZ and LCZ	Located between higher-intensity residential zones	Settlement pattern clear; existing blocks already fully used

Zone outcome for Kingston West (upper LCZ blocks)	LCZ retained	⚠ INCONSISTENCY: The same medium risk rating and near-identical landscape value descriptions produced RLZ in Albion Heights and Howden but LCZ in Kingston West upper blocks. The sole cited difference is the height allowance differential between RLZ and LCZ on elevated blocks — but Albion Heights and Howden are equally elevated and was recommended for Rural Living Zone. Delegate Ford directly challenged this distinction at Day 2 [01:07:00–01:08:25], noting the landscape descriptions are 'very similar' and asking what the actual difference is between localities where codes can and cannot manage.
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What this means for your submission: Chair Heath at [05:50:30] explicitly noted that small cleared residential lots inside Kingston West LCZ can be argued out through representations. Cite Albion Heights and Howden as directly similar — identical risk rating, identical or greater elevation, nearly identical landscape value language — yet full RLZ resulted. The building height differential alone is not a sufficient basis for LCZ where codes, NAC, and PVA overlay provide equivalent protection.

5. Neika [Kingston & Bushland Surrounds]

Ireneinc outcome: LCZ for majority; 2 Huon Road parcels → RLZ; split-zone approach for 540 Leslie Road (cleared portion → RLZ). Ireneinc recommendation at Day 20: with case-by-case flexibility.

Characteristic	Neika (LCZ majority) — Outcome: LCZ retained	Neika (Huon Road parcels) — Outcome: RLZ
Ireneinc landscape value description	Significant bushland and elevated landscape across most of locality; scenic values; similar vegetation character throughout	Same locality — landscape values present throughout; no meaningful difference in landscape character between LCZ and RLZ areas identified
Settlement characteristics found	Present across much of locality — residential uses with varying lot sizes	Yes — Huon Road lots show rural living pattern consistent with adjoining RLZ to south
Lot sizes	Variable — many >10 ha in LCZ portion	Similar to LCZ portions but positioned adjacent to existing RLZ
SPA coverage	Partial across locality	Partial — same as LCZ area
PVA / NAC overlay	Yes throughout	Yes — same as LCZ area
Risk rating applied	Medium-high (LCZ)	Lower — consistency with adjoining RLZ cited
DP6 — codes manage landscape values?	Ireneinc did not apply this reasoning to the LCZ majority	YES — characteristics consistent with existing RLZ to south; 'could be reasonably managed in the same way'
Key differentiator cited	Lot sizes >10 ha (too large for RLZ without subdivision risk) for some parcels; insufficient consistency in settlement pattern	Proximity and consistency with adjoining RLZ parcels — same reasoning, same landscape values

Zone outcome for Neika (LCZ majority)	LCZ retained	⚠ INCONSISTENCY: Ireneinc applied RLZ to specific Huon Road parcels because of consistency with adjoining RLZ — using the same landscape value and code management reasoning it declined to apply to the LCZ majority. The proximity to adjoining RLZ argument applies equally to other Neika lots that adjoin or are near existing RLZ. For large lots (>10 ha), Ireneinc's concern about subdivision potential is addressed by applying RLZ D (minimum 10 ha) — a solution Ireneinc accepted at 540 Leslie Road.
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What this means for your submission: If your Neika property adjoins or is in close proximity to existing RLZ or to the Huon Road RLZ parcels, argue consistency — the same reasoning Ireneinc applied to grant RLZ on Huon Road applies to your lot. For large lots, show that RLZ D (minimum 10 ha) eliminates subdivision potential, directly addressing the risk Ireneinc cited for LCZ retention.

6. Leslie Vale [Kingston & Bushland Surrounds]

Ireneinc outcome: Exhibited RLZ + LCZ mix retained as appropriate; no recommended changes. Ireneinc recommendation at Day 20:. Note: 540 Leslie Road split-zone (RLZ for cleared portion, LCZ for vegetated balance) was flagged but accepted.

Characteristic	Leslie Vale (LCZ portions) — Outcome: LCZ retained	Leslie Vale (RLZ portions) — Outcome: RLZ retained
Ireneinc landscape value description	Native vegetation; scenic values; 540 Leslie Road specifically: >20 ha, extensive vegetation connecting to EMZ to northeast	Similar native vegetation and scenic character — landscape descriptions are consistent across the locality; no meaningful difference in vegetation type identified
Settlement characteristics found	Present across LCZ portions — residential uses occurring	Yes — clear residential and rural living settlement pattern in RLZ portions
Lot sizes	LCZ lots range from smaller to very large (540 Leslie Road >20 ha)	Generally smaller to medium lots in RLZ portions
SPA coverage	Partial across locality	Partial — similar coverage
PVA / NAC overlay	Yes	Yes
Risk rating applied	Not re-assessed — exhibited position retained	Not re-assessed — exhibited position retained
DP6 — codes manage landscape values?	Not re-evaluated — existing LCZ carried forward without new analysis	Existing RLZ carried forward as appropriate — codes managing values
Key differentiator cited	540 Leslie Road: lot size >20 ha; extensive vegetation; EMZ connection. Other LCZ lots: no specific new differentiator identified	Existing RLZ already established; settlement pattern consistent with rural living

Zone outcome for Leslie Vale (LCZ portions)	LCZ retained	⚠ INCONSISTENCY: Ireneinc did not re-evaluate the Leslie Vale LCZ or RLZ designations — it simply accepted the exhibited position. Where a LCZ lot does NOT share the characteristics of 540 Leslie Road (lot size >20 ha, extensive native vegetation, EMZ connection), the specific LCZ justification for that lot is absent from the Ireneinc report. Lots that share characteristics with the existing RLZ portions have no documented basis for different treatment.
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What this means for your submission: If your Leslie Vale LCZ lot is smaller than 20 ha and does not share the specific characteristics of 540 Leslie Road (extensive vegetation, EMZ connection), the LCZ justification in the Ireneinc report does not apply to your title. Argue that your lot's characteristics match the existing RLZ properties in the locality, and that Ireneinc's failure to re-evaluate the LCZ designation means the exhibited LCZ was not positively confirmed by the review process.

7. Allens Rivulet [Kingston & Bushland Surrounds]

Ireneinc outcome: Mixed — RLZ (Mountain Road / Allens Rivulet Road parcels); Rural Zone (red group with rural activities); LCZ balance. Ireneinc recommendation at Day 20:.

Characteristic	Allens Rivulet (LCZ balance) — Outcome: LCZ retained	Allens Rivulet (RLZ parcels — Mountain Rd) — Outcome: RLZ
Ireneinc landscape value description	Bushland; native vegetation; similar landscape character throughout locality — no meaningful difference in landscape value description between LCZ and RLZ parcels in the locality report	Same locality — landscape values present throughout; the RLZ recommendation was based on settlement pattern consistency, not absence of landscape values
Settlement characteristics found	Present — residential uses in LCZ portions	Yes — Mountain Road / Allens Rivulet Road parcels show rural living settlement characteristics consistent with adjoining RLZ
Lot sizes	Variable in LCZ portions	Similar — consistent with adjoining RLZ lot sizes
SPA coverage	Partial throughout locality	Partial — same as LCZ areas
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium for LCZ	Lower — consistency with adjoining RLZ
DP6 — codes manage landscape values?	Not explicitly concluded as YES for LCZ balance	YES — 'could be reasonably managed in the same way' as adjoining RLZ
Key differentiator cited for RLZ	—	Consistency with and proximity to adjoining RLZ parcels — characteristics match

Zone outcome for Allens Rivulet (LCZ balance)	LCZ retained	⚠ INCONSISTENCY: Ireneinc granted RLZ to specific parcels on consistency with adjoining RLZ — using the same landscape and code management reasoning it declined to apply to the LCZ balance. If a LCZ lot is adjacent to or near the Mountain Road / Allens Rivulet Road RLZ cluster and shares similar characteristics, the consistency argument applies equally. The Ireneinc report does not identify any meaningful difference in landscape values between the RLZ and LCZ sub-areas of this locality.
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What this means for your submission: If your Allens Rivulet LCZ lot is adjacent to or shares characteristics with the Mountain Road / Allens Rivulet Road RLZ parcels, argue consistency — the same basis Ireneinc used to grant RLZ to those parcels applies to yours. For rural-activity-dominant lots, cite the Rural Zone group as similar and use T2 template.

8. Sandfly & Kaoota [Kingston & Bushland Surrounds]

Ireneinc outcome: Mixed — RLZ (Pregnall's Road / Talbots Road residential cluster); Rural Zone (Halls Track / Pioneer / Huon / Thompson Roads); LCZ balance. Ireneinc recommendation at Day 20:.

Characteristic	Sandfly & Kaoota (LCZ balance) — Outcome: LCZ retained	Kettering East & Oyster Cove — Outcome: Full RLZ
Ireneinc landscape value description	Elevated bushland; scenic values; mix of cleared and vegetated parcels; similar to Channel Region descriptions. Pregnall's / Talbots cluster: 'elevated bushland interspersed with cleared areas; rural activities contribute to overall landscape values'	Rural living characteristics; scenic landscape; interface between coastline and bushland; dwellings integrated into natural setting — near-identical language to Sandfly cluster areas
Settlement characteristics found	Yes — Pregnall's / Talbots cluster: clear rural living settlement pattern. LCZ balance: less consistent pattern in some areas	Yes — consistent rural living settlement throughout; lots 1–10 ha along Manuka Road; pattern clear and recognisable
Lot sizes	Pregnall's / Talbots: 2–8 ha. LCZ balance: variable, some larger	1–10 ha (majority 2–7 ha)
SPA coverage	Partial	Partial — comparable extent
PVA / NAC overlay	Yes throughout	Yes
Risk rating applied	Low-medium for RLZ cluster; medium-high for LCZ balance	Medium — accepted for full locality
DP6 — codes manage landscape values?	YES for RLZ cluster: PVA and SPA manage values; 'low to medium risk'	YES — codes and min lot size manage values; full RLZ accepted
Key differentiator cited	LCZ balance: more fragmented settlement; some larger lots outside cluster pattern	Clear settlement pattern throughout; existing blocks already fully used; codes adequate
Zone outcome for Sandfly & Kaoota (LCZ balance)	LCZ retained	⚠ INCONSISTENCY: Kettering East was recommended for full Rural Living Zone at medium risk with landscape value descriptions and settlement patterns nearly identical to the Sandfly/Kaoota Pregnall's cluster — and with comparable characteristics to many LCZ-balance lots. Ireneinc's own Sandfly assessment found codes manage landscape values in the RLZ cluster; the same conclusion was not applied to the LCZ balance without clear additional justification.

What this means for your submission: If your Sandfly / Kaoota LCZ lot shares characteristics with the Pregnall's / Talbots RLZ cluster (lot 2–8 ha, residential settlement character), cite the cluster RLZ as directly similar. For the broader LCZ balance, cite Kettering East where nearly identical characteristics — including medium risk — produced full RLZ across the entire locality.

9. Longley & Lower Longley [Kingston & Bushland Surrounds]

Ireneinc outcome: Exhibited zoning generally retained; part of 137 Anderson Road → Rural Zone; Krauses Road and Huon/Andersons Roads → Rural Zone (TPC modifications). Ireneinc recommendation at Day 20:.

Characteristic	Longley & Lower Longley (LCZ) — Outcome: LCZ retained	Longley & Lower Longley (Rural Zone parcels) — Outcome: Rural Zone
Ireneinc landscape value description	Elevated landscape; bushland; hinterland character across the locality — consistent descriptions throughout; no meaningful difference in landscape value language between LCZ and Rural Zone areas in the locality	Same locality — Rural Zone parcels at Krauses Road, Huon Road, and Andersons Road have similar landscape setting; the Rural Zone recommendation was based on existing rural activities, not absence of landscape values
Settlement characteristics found	Present — residential and rural uses throughout	Yes — existing rural farming and grazing activities on specific parcels
Lot sizes	Variable in LCZ portions	Larger rural parcels at Krauses Road, Andersons Road
SPA coverage	Partial	Partial — similar extent
PVA / NAC overlay	Yes	Yes
Risk rating applied	Not explicitly re-assessed — exhibited LCZ retained	Not rated separately — Rural Zone applied on existing-use basis
DP6 — codes manage landscape values?	Not explicitly re-evaluated for LCZ balance	Implicitly YES — Rural Zone applied because existing rural activities dominate; codes manage any residual landscape values
Key differentiator cited	Exhibited LCZ accepted without re-evaluation	Existing rural activities (grazing, farming) on specific parcels; consistent with Rural Zone purpose

Zone outcome for Longley & Lower Longley (LCZ)	LCZ retained	⚠ INCONSISTENCY: Ireneinc did not re-evaluate the LCZ designation for the balance of Longley and Lower Longley — it simply accepted the exhibited position. Rural Zone was applied to specific parcels with existing rural activities. Where a LCZ lot also has existing rural activities, the same Rural Zone reasoning applies. Where a LCZ lot has residential character similar to the existing RLZ land in the municipality, the Sandfly and Kettering East precedents support an RLZ argument.
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What this means for your submission: For Longley LCZ lots with existing rural activities, cite the Anderson Road / Krauses Road Rural Zone precedent and use T2 template. For residential-character lots, the Ireneinc report did not positively confirm the LCZ through re-evaluation — argue this gap, and cite Sandfly Pregnall's cluster or Kettering East as similar localities where comparable characteristics produced RLZ.

REGION 2 — CHANNEL REGION

10. Tinderbox [Channel Region]

Ireneinc outcome: West side → full RLZ. East side → LCZ retained. TPC Day 20: East — 'locality where TPC delegates asked the most questions about the LCZ justification' [00:35:10–00:47:04]. Delegate Probert at [01:06:52–01:08:25] directly stated the landscape descriptions are near-identical and the only difference is the risk profile — which Ireneinc was then challenged to explain.

Characteristic	Tinderbox East — LCZ retained	Tinderbox West — Full RLZ	Howden & Blackmans Bay — Full RLZ
Ireneinc landscape value description	'Elevated bushland... vegetated ridgeline... dwellings nestled into vegetation... scenic backdrop... residential settlement pattern closely follows natural topography' — IDENTICAL language to west side	Identical landscape value language — same peninsula, same vegetation type, same topographic character, same coastal setting	'Distinctive vegetated ridgeline landscape characterised by residential settlement pattern... native bushland present throughout... dwellings often screened by retained vegetation' — same language, different locality
Settlement characteristics found	Yes — residential settlement along Tinderbox Road; lots 1–10 ha; dwellings with outbuildings; recognisable pattern	Identical — same road, same peninsula, same settlement type	Yes — lots 1–5 ha; consistent pattern; framed by reserves to north and south
Lot sizes	1–10 ha (with 2 large northeastern lots noted as outliers)	1–10 ha	1–5 ha (majority)
SPA coverage	NO — absent on eastern coast	YES — Scenic Protection Area covers western peninsula	Partial — not full SPA coverage
PVA / NAC overlay	Yes	Yes	Yes
Risk rating applied	Medium-high → LCZ	Low-medium → RLZ	Medium → RLZ
DP6 — codes manage landscape values?	NO — 'potential for increased height associated with extensions or new builds to become more visible'; SPA absent means no code control on height	YES — SPA provides height control; 'low risk where RLZ is applied'	YES — 'codes and min lot size manage values; low risk'; SPA only partially present — same as east Tinderbox in areas
Key differentiator cited	Absent SPA on east coast; higher building height allowance in RLZ vs LCZ; two large northeastern lots reduce settlement consistency	SPA present; western development less visually prominent from water	Residential settlement character predominates; codes sufficient
TPC challenge	Delegate Ford [00:35:14]: 'Specifically, what cannot be managed through those codes?' Delegate Probert [01:07:48]: 'One we say they can be managed and the other one we say they can't — what we really need to say is the difference between those two'	Recommended by Ireneinc without challenge	Recommended by Ireneinc without challenge

Zone outcome for Tinderbox East	LCZ retained	⚠ INCONSISTENCY: This is the starkest inconsistency in the entire Ireneinc report. Delegate Probert's own words from the hearing [01:07:48] confirm it: identical landscape value descriptions, identical settlement characteristics, and both sides of the same peninsula — but opposite zone outcomes. The sole cited differentiator is the absence of SPA on the eastern coast. However Howden & Blackmans Bay, which has PARTIAL SPA coverage (not full), also was recommended for Rural Living Zone at medium risk. The SPA-absence argument is not applied consistently.
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Submission argument — Tinderbox East properties: Cite Delegate Probert's own statement from [01:07:48] verbatim — '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.' Then show that Howden was recommended for Rural Living Zone at partial SPA coverage, and Kettering West Groombridges was recommended for Rural Living Zone after TPC delegates identified an issue and the concession that PVA overlay does the landscape-protection work [02:33:54]. If PVA applies to your east Tinderbox lot, argue the SPA-absence rationale is overcome by PVA coverage.

11. Howden & Blackmans Bay [Channel Region]

Ireneinc outcome: Full ELZ → RLZ. Ireneinc recommendation at Day 20: without challenge [00:59:00–01:03:00]. This is the primary RLZ precedent for the Channel Region.

Characteristic	Howden & Blackmans Bay — Outcome: Full Rural Living Zone — best comparison for your area	Tinderbox East — Outcome: LCZ retained
Ireneinc landscape value description	'Native bushland, towering Eucalyptus trees; distinctive vegetated ridgeline landscape characterised by residential settlement pattern; dwellings often screened by retained vegetation; elevated topography provides scenic views'	Near-identical language: elevated bushland; vegetated ridgeline; dwellings nested in vegetation; scenic backdrop — Delegate Probert confirmed descriptions are 'very similar' [01:07:21]
Settlement characteristics found	Yes — lots 1–5 ha; consistent pattern; located between Blackmans Bay and Howden settlements	Yes — residential settlement along Tinderbox Road; lots 1–10 ha; same peninsula structure
Lot sizes	1–5 ha (majority); 2 parcels ~10–16 ha	1–10 ha; 2 large northeastern lots noted
SPA coverage	Partial — not full coverage	NO SPA on east coast
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium — Ireneinc recommended Rural Living Zone	Medium-high — used to justify LCZ
DP6 — codes manage landscape values?	YES — 'sufficient mechanisms in the planning scheme... low risk where RLZ is applied'	NO — 'increased height could become more visibly prominent; SPA absent'
Key differentiator	None explained — landscape descriptions are near-identical; Howden simply described as having 'more prevalence of residential feel' [Transcript 01:11:56]	Two large northeastern lots reduce settlement consistency; SPA absent
TPC challenge	Recommended by Ireneinc without challenge	Delegate Ford: 'Specifically what cannot be managed through those codes?' — direct challenge to the LCZ justification
Zone outcome for Howden & Blackmans Bay	Full RLZ — consistent	⚠ INCONSISTENCY: This locality is the most useful comparison for the Channel Region. Its consistent use as an similar comparison in submissions is supported by Delegate Ford's Day 20 challenge to the Tinderbox East LCZ justification and Delegate Probert's explicit statement that the landscape descriptions are near-identical. Howden was recommended for Rural Living Zone with partial SPA coverage — the same coverage level cited as insufficient in Tinderbox East.

Submission argument (for any Channel region LCZ locality): Cite Howden as the primary similar locality. The landscape value language, settlement characteristics, lot sizes, partial SPA coverage, and risk profile are comparable to many LCZ-retained localities in the Channel Region. Use Ireneinc's own Howden reasoning — 'sufficient mechanisms in the planning scheme to provide for appropriate management' — and argue it applies equally to your property.

12. Margate & Electrona [Channel Region]

Ireneinc outcome: Mixed — Rural Zone (cleared rural parcels); RLZ (residential cluster); LCZ (Van Morey Road elevated/SPA-covered); EMZ (reserve). Ireneinc recommendation at Day 20: [01:29:00–01:34:00].

Characteristic	Margate & Electrona (LCZ — Van Morey Road) — Outcome: LCZ retained	Margate & Electrona (RLZ cluster) — Outcome: RLZ
Ireneinc landscape value description	Van Morey Road: 'significant natural landscape values and scenic landscape values'; elevated; SPA-covered; prominent views from Channel	RLZ cluster: 'landscape values consistent with that anticipated in a rural living settlement; contributing to overall scenic character' — landscape values PRESENT but found manageable
Settlement characteristics found	Limited — Van Morey Road has fewer residential lots; not a clear rural living settlement pattern	Yes — recognisable rural residential subdivision pattern; lots 2–7 ha; residential uses and rural activities
Lot sizes	Larger lots on Van Morey Road; less consistent pattern	2–7 ha — consistent with RLZ C
SPA coverage	YES — significant SPA coverage on Van Morey Road elevated area	Partial — same general area
PVA / NAC overlay	Yes	Yes
Risk rating applied	High (Van Morey elevated block)	Low-medium
DP6 — codes manage landscape values?	NO — SPA coverage does not negate the elevated prominence and visual significance at this specific location	YES — codes and min lot size manage values; consistent with adjoining RLZ land
Key differentiator cited	Elevation, SPA coverage, visual prominence from Channel; no clear rural living settlement pattern	Settlement pattern consistent with rural living; existing blocks already fully used

Zone outcome for Margate & Electrona (Van Morey LCZ)	LCZ retained	⚠ INCONSISTENCY: The Van Morey Road LCZ is the most defensible LCZ retention in Margate — it has strong SPA coverage, high elevation, and high visual prominence from the Channel. However, properties in the Margate LCZ area that do NOT share these specific characteristics (elevated, SPA-covered, Channel-prominent) have no documented basis for LCZ over RLZ. Many Margate properties with similar characteristics to the RLZ cluster were LCZ in the exhibited scheme and remain LCZ in Ireneinc — argue site-specific differentiation from the Van Morey characteristics.
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What this means for your submission: If your Margate property is not on the elevated Van Morey Road ridge and does not have the specific Channel-prominence cited for LCZ, argue differentiation. The RLZ cluster in the same locality was recommended for Rural Living Zone because codes manage landscape values and the settlement pattern is consistent with rural living. If your lot shares those characteristics, cite the within-locality RLZ as the directly relevant precedent.

13. Coningham & Snug [Channel Region]

Ireneinc outcome: Mixed — RLZ (Snug Tiers Road cluster); Rural Zone (Old Station Road / PPZ footprint); LCZ balance; 4 coastal parcels not decided. Ireneinc recommendation at Day 20: [01:56:00–02:03:30].

Characteristic	Coningham & Snug (LCZ balance) — Outcome: LCZ retained	Kettering East & Oyster Cove — Outcome: Full RLZ
Ireneinc landscape value description	Coastal views; native vegetation; D'Entrecasteaux Channel setting; coastal bushland — near-identical language to Kettering East. 'Landscape values consistent with a rural living settlement within the region, contributing to overall scenic character and coastal rural landscapes'	'Scenic landscape; coastal interface; bushland; dwellings integrated into natural setting; interface between coastline and bushland contributing to significant landscape value'
Settlement characteristics found	LCZ balance: less consistent settlement than Snug Tiers Road cluster; variable lot sizes	Yes — consistent rural living settlement throughout; lots 1–10 ha along Manuka Road
Lot sizes	Variable in LCZ balance; some larger lots	1–10 ha
SPA coverage	Significant for some coastal LCZ lots	Partial — comparable or lesser coverage
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium-high for LCZ balance	Medium — Ireneinc recommended full Rural Living Zone
DP6 — codes manage landscape values?	NOT explicitly concluded as YES for LCZ balance	YES — full locality; codes and min lot size manage values
Key differentiator cited	More variable settlement pattern in LCZ areas; coastal interface complexity; 4 parcels parked	Clear consistent settlement pattern; existing blocks already fully used throughout
Zone outcome for Coningham & Snug (LCZ balance)	LCZ retained	⚠ INCONSISTENCY: Kettering East was recommended for full Rural Living Zone at medium risk with a D'Entrecasteaux Channel coastal setting described in near-identical terms to the Coningham/Snug LCZ balance. The coastal setting alone did not prevent RLZ at Kettering East. The key differentiator used here — less consistent settlement pattern — is a matter of degree, not kind, and is challengeable with evidence that individual lots in the LCZ balance do have consistent settlement characteristics.

What this means for your submission: If your Coningham / Snug LCZ lot has a consistent rural living settlement character (lot 1–10 ha, dwelling with outbuildings, rural activities), cite Kettering East as the primary similar locality — identical coastal setting, comparable landscape values, medium risk. Cite Snug Tiers Road as within-locality evidence that the same area can support RLZ where settlement pattern is recognised.

14. Kettering East & Oyster Cove [Channel Region]

Ireneinc outcome: Full ELZ → RLZ — largest LCZ retreat of Day 2. Ireneinc recommendation at Day 20: immediately [02:04:40–02:12:25]. This is the primary RLZ precedent for the southern Channel Region.

Characteristic	Kettering East & Oyster Cove — Outcome: Full Rural Living Zone — best comparison for southern Channel	Woodbridge (LCZ bulk) — Outcome: LCZ retained
Ireneinc landscape value description	'Scenic landscape; coastal interface; bushland; dwellings integrated into natural setting; interface between coastline and bushland contributing to significant landscape value'	D'Entrecasteaux Channel views; bushland; scenic values — near-identical coastal and bushland language to Kettering East
Settlement characteristics found	Yes — clear rural living settlement; lots 1–10 ha along Manuka Road; consistent pattern throughout	Woodbridge Hill Road cluster: recognisable rural pattern. LCZ bulk: less consistent settlement
Lot sizes	1–10 ha (majority)	LCZ bulk: variable, some larger. Woodbridge Hill Rd: smaller
SPA coverage	Partial — not full coverage	Significant — greater SPA coverage than Kettering East in some areas
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium — full RLZ accepted	Medium-high — LCZ retained for bulk
DP6 — codes manage landscape values?	YES — full locality; codes and min lot size manage values; existing blocks already fully used	NOT fully concluded — channel views and bushland cited as requiring LCZ protection
Key differentiator cited	Clear consistent settlement pattern; existing blocks already fully used	Woodbridge Hill Rd cluster: fragmentation/rural activities → Rural Zone. LCZ bulk: channel views and continuous bushland
Zone outcome for Kettering East & Oyster Cove	Full RLZ — consistent	⚠ INCONSISTENCY: This locality is the most useful comparison for the southern Channel Region. Its full acceptance at medium risk, with a D'Entrecasteaux Channel coastal setting described in near-identical terms to LCZ-retained Woodbridge, Birchs Bay, Middleton, and Gordon, shows that coastal setting and bushland alone do not prevent RLZ. The distinguishing characteristic consistently cited for LCZ in the southern localities is the continuous bushland corridor along the ridgeline — which does not characterise every individual lot within those localities.

Submission argument (for all southern Channel LCZ localities): Cite Kettering East directly. Identical D'Entrecasteaux Channel coastal setting, identical landscape value language, partial SPA coverage — but full RLZ at medium risk. Argue that the continuous bushland corridor argument does not apply to individual cleared, developed, or lower-elevation lots that do not contribute to the ridgeline corridor. Use Kettering East's DP6 finding ('codes and min lot size manage values') and apply it to your property.

15. Kettering West [Channel Region]

Ireneinc outcome: Mixed — Rural Zone (Watsons Road); RLZ (Groombridges Road / central area); LCZ (elevated Saddle Road yellow block). Ireneinc recommendation at Day 20: after TPC acknowledgement that PVA overlay does landscape-protection work, not the zone [02:33:54].

Characteristic	Kettering West (Groombridges Rd) — RLZ — TPC corrected	Kettering East — Full RLZ	Tinderbox East — LCZ retained
Ireneinc landscape value description	Elevated bushland; similar Channel coastal setting to Kettering East; rural living characteristics present in Groombridges cluster	Identical coastal/bushland description — same Channel, same landscape character, same vegetation type	Near-identical elevated bushland and ridgeline description — see Tinderbox section for full quote
Settlement characteristics found	Yes — Groombridges cluster has clear rural living pattern consistent with Kettering East	Yes — clear rural living settlement throughout	Yes — residential settlement along Tinderbox Road; similar pattern
Lot sizes	1–7 ha (Groombridges cluster)	1–10 ha	1–10 ha
SPA coverage	Partial (elevated block only)	Partial	NO — absent on east coast
PVA / NAC overlay	Yes — PVA applies to Groombridges area	Yes	Yes
Risk rating applied	Medium (initially LCZ proposed; TPC corrected)	Medium (full RLZ)	Medium-high (LCZ)
DP6 — codes manage landscape values?	YES — TPC [02:33:54]: 'Priority Vegetation overlay does the landscape-protection work, not the zone' — PVA accepted as sufficient	YES — codes and min lot size; full RLZ	NO — SPA absent; RLZ height allowance creates risk
Key finding / TPC intervention	TPC delegates identified a problem and the consultant agreed to a change — PVA overlay is sufficient; zone does not need to be LCZ to protect landscape values	Recommended by Ireneinc without challenge	TPC challenged but accepted; flagged as weakest LCZ retention

Zone outcome for Kettering West	Mixed — inconsistency now partially corrected by TPC	⚠ INCONSISTENCY: The TPC's forced correction at [02:33:54] — that the PVA overlay does the landscape-protection work, not the zone — is the most important single statement from Day 20 for LCZ-affected landowners. This principle was NOT applied to Tinderbox East (where PVA is also present), despite near-identical characteristics. The inconsistency in applying the PVA-sufficiency principle selectively remains uncorrected.
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What this means for your submission: If PVA applies to your property, cite the TPC's statement at [02:33:54] directly — 'the Priority Vegetation overlay does the landscape-protection work, not the zone.' Show that PVA applies to your lot and argue that this is equivalent to the protection the TPC found sufficient at Groombridges. This argument applies to any LCZ locality where PVA coverage exists — Tinderbox East, Kingston West, Taroona, and others.

16. Woodbridge [Channel Region]

Ireneinc outcome: LCZ for bulk; eastern yellow block (Woodbridge Hill Road) → Rural Zone. Ireneinc recommendation at Day 20: Multiple representations from Woodbridge Hill Road argued LCZ was an an inconsistency for their road.

Characteristic	Woodbridge (LCZ bulk) — Outcome: LCZ retained	Kettering East & Oyster Cove — Outcome: Full RLZ
Ireneinc landscape value description	D'Entrecasteaux Channel views; bushland; scenic values; continuous ridgeline bushland corridor extending to Birchs Bay and south to Gordon	Scenic landscape; coastal interface; bushland; dwellings integrated into natural setting — near-identical Channel coastal landscape language
Settlement characteristics found	Woodbridge Hill Road cluster: recognisable rural pattern. LCZ bulk: variable lot sizes, less consistent residential pattern in some areas	Yes — consistent rural living settlement throughout locality; lots 1–10 ha
Lot sizes	LCZ bulk: variable, some larger. Woodbridge Hill Rd: smaller	1–10 ha (majority)
SPA coverage	Significant — greater than Kettering East in some areas	Partial
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium-high — LCZ	Medium — full RLZ
DP6 — codes manage landscape values?	Ireneinc did not reach this conclusion for the LCZ bulk — continuous bushland corridor cited as requiring LCZ protection	YES — codes and min lot size; existing blocks already fully used
Key differentiator cited	Continuous ridgeline bushland corridor (Birchs Bay to Woodbridge to Gordon); LCZ needed to maintain corridor	Clear residential settlement; blocks already fully used; existing codes protect landscape values
Within-locality precedent	Woodbridge Hill Road → Rural Zone: fragmentation avoidance + existing rural activities	—

Zone outcome for Woodbridge (LCZ bulk)	LCZ retained	⚠ INCONSISTENCY: Kettering East, with a near-identical D'Entrecasteaux Channel coastal and bushland setting, was recommended for full Rural Living Zone at medium risk. Woodbridge LCZ bulk was recommended for Landscape Conservation Zone at medium-high risk citing the 'continuous bushland corridor' — but not every individual lot within the LCZ bulk contributes to this corridor, particularly cleared, lower-elevation, or developed lots. Rep 4 from Woodbridge Hill Road specifically argued their LCZ was an an inconsistency because 'nearly all properties along the road corridor were proposed to be rezoned to Rural Living Zone.'
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What this means for your submission: For Woodbridge LCZ lots that do not contribute to the ridgeline bushland corridor (cleared, developed, lower-elevation, set back from the ridgeline), argue that the corridor justification does not apply to your individual title. Cite Kettering East as the similar coastal-bushland locality that was recommended for full Rural Living Zone. For Woodbridge Hill Road lots, cite Rep 4’s argument directly alongside the Ireneinc Rural Zone cluster as evidence that the corridor argument does not apply to the road-frontage properties.

17. Birchs Bay [Channel Region]

Ireneinc outcome: LCZ for bulk; eastern yellow block → Rural Zone. Ireneinc recommendation at Day 20:. Pattern mirrors Woodbridge.

Characteristic	Birchs Bay (LCZ bulk) — Outcome: LCZ retained	Kettering East & Oyster Cove — Outcome: Full RLZ
Ireneinc landscape value description	Coastal bushland; scenic; D'Entrecasteaux Channel setting; eastern cluster has cleared/rural character. Ireneinc approach identical to Woodbridge — 'areas of elevating bushland features retained around existing development contributing to landscape value and overall scenic values'	Scenic landscape; coastal interface; bushland; dwellings integrated into natural setting — same Channel coastal language
Settlement characteristics found	Eastern cluster: rural activities. LCZ bulk: variable lot sizes	Yes — consistent rural living settlement throughout; lots 1–10 ha
Lot sizes	Eastern cluster: smaller/cleared. LCZ bulk: larger/vegetated	1–10 ha
SPA coverage	Likely significant for coastal lots	Partial
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium-high — LCZ	Medium — full RLZ
DP6 — codes manage landscape values?	Ireneinc did not reach this conclusion for the LCZ bulk — same bushland corridor argument as Woodbridge	YES — codes and min lot size; full RLZ
Key differentiator cited	Continuous ridgeline bushland corridor (Flowerpot to Gordon)	Consistent settlement pattern; existing blocks already fully used; codes manage values

Zone outcome for Birchs Bay (LCZ bulk)	LCZ retained	⚠ INCONSISTENCY: Same inconsistency as Woodbridge — D'Entrecasteaux Channel coastal and bushland setting nearly identical to Kettering East, but different zone outcome. Same argument applies: cleared, developed, or lower-elevation lots that do not contribute to the ridgeline corridor are not characterised by the landscape values cited for LCZ retention.
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What this means for your submission: Same as Woodbridge — cite Kettering East as the primary similar locality. For individual lots that are cleared, developed, or not on the ridgeline, argue the corridor justification does not apply to your title. Note that the Ireneinc approach to Birchs Bay and Woodbridge is identical — a submission that succeeds for Woodbridge is directly relevant to Birchs Bay.

18. Flowerpot [Channel Region]

Ireneinc outcome: LCZ for bulk; identifiable cluster → Rural Zone (split-zone approach). Ireneinc recommendation at Day 20:. Pattern consistent with Birchs Bay and Middleton.

Characteristic	Flowerpot (LCZ bulk) — Outcome: LCZ retained	Kettering East & Oyster Cove — Outcome: Full RLZ
Ireneinc landscape value description	Ridgeline bushland corridor connecting Birchs Bay to Gordon; 'elevating bushland features retained around existing development contributing to landscape value and scenic values including large areas of native vegetation hills'	Scenic landscape; coastal interface; bushland — same Channel region language. Landscape values present but manageable
Settlement characteristics found	Cluster: identifiable rural pattern with existing rural activities. LCZ bulk: larger vegetated lots	Yes — consistent rural living settlement throughout
Lot sizes	Cluster: smaller/cleared. LCZ bulk: larger/vegetated	1–10 ha
SPA coverage	Partial	Partial
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium-high — LCZ bulk	Medium — full RLZ
DP6 — codes manage landscape values?	Ireneinc did not reach this conclusion for the LCZ bulk — corridor continuity cited	YES — codes and min lot size; full RLZ
Key differentiator cited	Ridgeline bushland corridor must be maintained (Birchs Bay to Gordon)	Consistent settlement pattern; existing blocks already fully used; codes manage values

Zone outcome for Flowerpot (LCZ bulk)	LCZ retained	⚠ INCONSISTENCY: Same corridor argument as Birchs Bay and Woodbridge. Same Kettering East inconsistency. Additionally: Ireneinc accepted the split-zone approach for the cluster (Rural Zone for cleared/active parcels) — demonstrating that the corridor argument does not apply to every parcel within the locality boundary.
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What this means for your submission: The split-zone precedent within this locality shows that Ireneinc itself accepted that not every lot within Flowerpot contributes to the bushland corridor. For individual lots that are cleared, have existing rural activities, or are not part of the ridgeline vegetation, argue the corridor justification does not apply. Cite Kettering East and the within-locality Rural Zone cluster as dual precedents.

19. Middleton [Channel Region]

Ireneinc outcome: LCZ for bulk; eastern yellow block → Rural Zone (some split zoning). Ireneinc recommendation at Day 20:. Pattern consistent with Birchs Bay, Flowerpot, Gordon.

Characteristic	Middleton (LCZ bulk) — Outcome: LCZ retained	Kettering East & Oyster Cove — Outcome: Full RLZ
Ireneinc landscape value description	'Elevating bushland features retained around existing development; large areas of native vegetation hills behind settlement along ridgeline; consistent bushland corridor extending south to Gordon and north to Flowerpot; Majors Hill prominent scenic feature'	'Scenic landscape; coastal interface; bushland; dwellings integrated into natural setting' — same Channel coastal language; no Majors Hill equivalent cited
Settlement characteristics found	Eastern cluster: cleared; rural activities. LCZ bulk: larger vegetated lots on ridgeline	Yes — consistent rural living settlement throughout; lots 1–10 ha
Lot sizes	Eastern cluster: smaller/cleared. LCZ bulk: larger/vegetated ridgeline	1–10 ha
SPA coverage	Significant — Majors Hill and ridgeline area	Partial
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium-high — LCZ bulk	Medium — full RLZ
DP6 — codes manage landscape values?	Ireneinc did not reach this conclusion for the LCZ bulk — Majors Hill and ridgeline corridor cited as requiring LCZ	YES — codes and min lot size; full RLZ
Key differentiator cited	Majors Hill prominent scenic feature; ridgeline native vegetation hills; continuous corridor to Gordon and north to Flowerpot	Consistent settlement pattern; existing blocks already fully used; codes manage values

Zone outcome for Middleton (LCZ bulk)	LCZ retained	⚠ INCONSISTENCY: Middleton has the most specifically explained landscape value in the southern Channel group — Majors Hill and the vegetated ridgeline hills are named features. However, not every lot within the LCZ bulk is ON the Majors Hill ridgeline or contributes to the elevated bushland corridor. Cleared, lower-elevation, or settled lots in the LCZ area that sit below or away from the ridgeline are not characterised by those specific landscape values.
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What this means for your submission: The Majors Hill and ridgeline landscape value does not apply to every lot in the LCZ bulk. If your Middleton lot is below the ridgeline, cleared, at lower elevation, or does not contribute to views of or from Majors Hill, show this site-specific differentiation. Cite the eastern cluster Rural Zone as within-locality evidence that cleared lots are appropriately zoned Rural Zone or RLZ, not LCZ. Cite Kettering East for the broader coastal bushland inconsistency.

20. Gordon [Channel Region]

Ireneinc outcome: LCZ bulk; LDRZ coastal strip; Rural Zone (western parcels with rural activities). Ireneinc recommendation at Day 20:, with one mapping correction — crown land at Craigers Road corrected from LCZ to EMZ [04:07:57].

Characteristic	Gordon (LCZ bulk) — Outcome: LCZ retained	Kettering East & Oyster Cove — Outcome: Full RLZ
Ireneinc landscape value description	D'Entrecasteaux Channel coastal setting; bushland; southern end of ridgeline corridor (extending north through Middleton, Flowerpot, Birchs Bay, Woodbridge to Kettering)	Scenic landscape; coastal interface; bushland; dwellings integrated into natural setting — same Channel coastal language used throughout the Channel Region
Settlement characteristics found	Western parcels: rural activities (grazing, farming). LDRZ strip: small coastal residential. LCZ bulk: variable lot sizes	Yes — consistent rural living settlement throughout; lots 1–10 ha along Manuka Road
Lot sizes	Western Rural Zone: larger rural. LDRZ: small. LCZ bulk: variable	1–10 ha
SPA coverage	Likely significant coastal coverage	Partial
PVA / NAC overlay	Yes	Yes
Risk rating applied	Medium-high — LCZ	Medium — full RLZ
DP6 — codes manage landscape values?	Ireneinc did not reach this conclusion for the LCZ bulk — southern anchor of the bushland corridor cited	YES — codes and min lot size; full RLZ
Key differentiator cited	Southern anchor of the D'Entrecasteaux Channel bushland corridor; connection between channel coastal landscape and terrestrial bushland	Consistent settlement pattern; existing blocks already fully used; codes manage values
Mapping correction	Crown land at Craigers Road corrected from LCZ to EMZ at Day 2 [04:07:57] — Ireneinc confirmed the correction	—

Zone outcome for Gordon (LCZ bulk)	LCZ retained	⚠ INCONSISTENCY: The Gordon LCZ bulk is the southern anchor of the channel corridor argument used consistently from Woodbridge south. The same Kettering East inconsistency applies — coastal setting, bushland, scenic values, but different zone outcome. The mapping correction at Day 20 also shows the TPC will correct errors, including zone boundary errors, if raised.
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What this means for your submission: If your Gordon LCZ lot is not on the elevated coastal bushland interface (cleared, western-side rural, or developed), argue differentiation from the corridor value. The western Rural Zone was accepted because existing rural activities dominate — if your lot has rural character, use T2 and cite the Rural Zone precedent. For LDRZ coastal strip lots incorrectly remaining in LCZ, argue that LDRZ is the appropriate zone based on the coastal strip designation. Raise any mapping errors explicitly — the TPC corrected one on the day.

NEGATIVE IMPACTS REFERENCE DOCUMENT

LCZ and RZ Compared to RLZ

Kingborough LPS — Direction 69

⚠ IMPORTANT NOTICE — READ FIRST

This document is a summary reference only. It is NOT professional planning or legal advice.

All information should be verified against the primary source documents — the State Planning Provisions (SPP), Section 8A Guideline No. 1, the Kingborough LPS supporting documentation, and Kingborough Council's written correspondence — before being relied upon.

Landowners should obtain qualified planning and legal advice before making decisions about their property or their submission.

PART 1 — CONFIRMED IMPACTS

These impacts are drawn directly from the State Planning Provisions (SPP), Zone Guidelines (Section 8A Guideline No. 1), Kingborough Council's written advice, or the Ireneinc LCZ Review. They reflect what the rules definitively say.

1. Building a new home requires a planning permit — LCZ only

In the LCZ, a single dwelling is only "no permit required" if it sits within a building area already marked on a sealed plan of title. Most former ELZ properties have no such area. Without it, building a new home becomes a discretionary application — meaning it can be refused, it costs money to prepare, and it takes time. In the RLZ, a single dwelling requires no permit at all.

[SPP clause 22.2 use table; Ireneinc LCZ Review p.56; Kingborough 35F Report p.73]

2. Planning permit process is costly and slow — LCZ only

A discretionary planning permit application in the LCZ typically costs \$12,000–\$40,000 in professional fees and expert reports, and takes 3–12 months. Expert reports commonly required include:

- Landscape impact assessment: \$3,000–\$8,000
- Ecological assessment: \$2,500–\$15,000
- Bushfire hazard management plan: \$1,500–\$4,000
- Environmental management plan: \$2,000–\$6,000

If the application is refused and the landowner appeals, costs rise to \$20,000–\$60,000. None of this applies to a new dwelling in the RLZ.

[SPP clause 22.2; analysis drawn from LCZ development standards clauses 22.4.2–22.4.4]

3. Permit can be refused — no guaranteed outcome — LCZ only

In the LCZ, all discretionary permit applications are assessed against whether the proposed development is compatible with the protection and conservation of landscape values. This is a broad and subjective test. The council or TPC can refuse the application even if the landowner has done everything possible to address concerns. In the RLZ, a dwelling that meets the standard rules must be approved.

[SPP clause 22.3; SPP clause 22.4.4]

4. Lower maximum building height — LCZ only

The standard maximum building height in the LCZ is 6 metres — below the height of a comfortable two-storey house. Going higher requires a discretionary planning permit. In both the RLZ and RZ, the standard maximum is 8.5 metres, which comfortably allows a two-storey home.

[SPP clause 22.4.1; Kingborough 35F Report Table 51]

5. Restricted building colours and materials — LCZ only

In the LCZ, all external building surfaces must have a light reflectance value of no more than 40% and must be in dark natural tones of grey, green, or brown. This limits design choices and may add cost where standard building products do not meet the requirement. The RZ has no equivalent material restriction. The RLZ requires subdued tones with reflectance of no more than 40% but does not restrict colours.

[SPP clause 22.4.1 A5; Kingborough 35F Report Table 51]

6. Larger setbacks from property boundaries — LCZ and RZ

In the LCZ, the standard setback is 10 metres from the front boundary and 20 metres from side and rear boundaries. In the RZ, the standard setback is 5 metres from all boundaries, but dwellings must be 200 metres from an Agriculture Zone boundary. In the RLZ, the standard setback is 20 metres from the front and 10 metres from side and rear — less restrictive overall. These setbacks directly affect how much of a property can be built on.

[SPP clauses 22.4.2, 20.4.2, 11.4.2; Kingborough 35F Report Table 51]

7. Hobby farming requires a planning permit — LCZ only

In the LCZ, grazing and other resource development uses are discretionary — they require a planning permit that can be refused. In both the RLZ and RZ, grazing is "no permit required." Landowners who keep horses, sheep, cattle, or run any form of hobby farm face a permit requirement under LCZ that does not exist in either alternative zone.

[SPP clause 22.2 use table; SPP clause 11.2 use table; SPP clause 20.2 use table]

8. Outbuildings strictly limited in size — LCZ only

In the LCZ, all outbuildings (sheds, garages, workshops) are limited to a combined maximum gross floor area of 100 square metres, with a wall height of no more than 6.5 metres. Exceeding these limits requires a discretionary permit assessed against landscape values. The RLZ has no specific outbuilding size limit beyond the general site coverage cap of 400 square metres.

[Ireneinc LCZ Review p.103; SPP clause 11.4.1]

9. Subdivision is effectively impossible for most lots — LCZ only

In the LCZ, the minimum lot size for subdivision is 50 hectares as an acceptable solution, dropping to 20 hectares under performance criteria (which requires a discretionary permit). For most Kingborough landowners with lots of 2–15 hectares, subdivision is completely ruled out. In the RLZ, subdivision is possible for lots meeting the relevant subcategory minimum — from 1 hectare (RLZ A) to 10 hectares (RLZ D). Loss of subdivision potential can represent hundreds of thousands of dollars in foregone property value.

[SPP clause 22.5.1; SPP clause 11.5.1; Kingborough 35F Report Table 52]

10. All building work assessed against landscape values — LCZ only

In the LCZ, all buildings and works must be located within a building area shown on a sealed plan of title (acceptable solution), or comply with performance criteria assessing landscape impact. Most former ELZ titles have no designated building area. This means extensions, outbuildings, driveways, earthworks, or any new construction may trigger a discretionary assessment — even for routine home improvements.

[SPP clause 22.4.4]

11. Ridgeline and skyline building restrictions — LCZ and RLZ

Both the LCZ and RLZ prohibit buildings within 10 metres of elevation below a ridgeline or skyline, unless there is no other suitable location. This is one area where LCZ and RLZ share a restriction. The impact for elevated properties is the same under both zones.

[SPP clause 22.4.4 A2; SPP clause 11.4.2]

12. Short-term rental (Airbnb) requires a permit — LCZ; less restrictive in RZ

In the LCZ, visitor accommodation (Airbnb, holiday rental) is a discretionary use — it requires a permit assessed against landscape values, with a maximum of 300 square metres within an existing building. In the RZ, visitor accommodation in an existing building is permitted without discretion. In the RLZ, visitor accommodation is permitted outright. LCZ is the most restrictive zone on this use.

[SPP clause 22.2; SPP clause 11.2; Ireneinc LCZ Review p.100]

13. Home rebuild after fire faces planning delays — LCZ only

Rebuilding after an unintentional event (such as a bushfire) is permitted under section 12 of LUPAA (the Land Use Planning and Approvals Act 1993). However, in the LCZ, where there is no designated building area on the title, replacing a destroyed dwelling may still require assessment under the LCZ development standards as new works — triggering a discretionary permit. This could delay rebuilding by months or years while the landowner is without a home and still carrying mortgage obligations. In the RLZ, rebuilding requires only a standard building permit.

[Section 12 LUPAA; SPP clause 22.4.4; Kingborough 35F Report p.73]

14. Some insurers refuse to reinsure after a total loss — LCZ

Some insurers have indicated they will pay a cash settlement for a total loss at an LCZ property but will then decline to reinsure that property at the same location going forward. Because lenders (banks and mortgage holders) require ongoing building insurance as a condition of the loan, a landowner who receives a payout but cannot obtain new insurance may face default provisions on their mortgage, despite having received a financial settlement.

[Confirmed by landowners and insurers — verify with individual insurers and financial advisers]

15. Crown Road licence is not enough for a new dwelling — LCZ and RZ

In the LCZ and RZ, new dwellings must have lawful and permanent access to a road maintained by a road authority (a publicly maintained road). A licence over a Crown Road reserve does not satisfy this — it is temporary. This is a change from the old Kingborough Interim Planning Scheme, where a Crown Road licence was sufficient for development approval in some cases. Landowners who rely on Crown Road access may not be able to build a new dwelling under LCZ or RZ. There is no equivalent requirement in the RLZ building and works standards.

[SPP clause 22.4.3; SPP clause 20.4.3; Kingborough Council written response incorporating SPO and NRE advice]

16. Easement to fix access is expensive and uncertain — LCZ and RZ

To satisfy the road access requirement, affected landowners must obtain a formal easement (permanent legal right of access) over the Crown land. NRE has confirmed costs typically start at \$25,000 and the process takes 12–18 months. Whether an easement can be granted at all is not guaranteed — it may be refused where the Crown land tenure does not allow easements (e.g. under the Nature Conservation Act 2002), where physical barriers exist, or where corridor widths or competing demands are a problem.

[Kingborough Council written response incorporating NRE advice]

17. Existing approved development is not affected retrospectively — LCZ and RZ

Council has confirmed that existing approved development on properties with Crown licensed access that are proposed for LCZ or RZ will not have the new road access requirement applied retrospectively. The requirement applies only to new dwellings going forward — not to dwellings already built and approved.

[Kingborough Council written response]

18. Zone purpose fundamentally mismatches residential use — LCZ only

The Zone Guidelines (Section 8A Guideline No. 1) state explicitly that the LCZ "is not a large lot residential zone" and "is not a replacement zone for the Environmental Living Zone in interim planning schemes." The guidelines state that the LCZ "provides a clear priority for the protection of landscape values, with residential use largely being discretionary." Applying a zone with this purpose to land primarily used and intended for residential purposes is, by the guidelines' own terms, inappropriate.

PART 2 — LIKELY IMPACTS

These impacts are probable based on how the zones work in practice, but cannot be confirmed with 100% certainty. Each item notes why it is probable rather than definite.

1. Property values reduced by 10–30% — LCZ; moderately for RZ

Properties in conservation zones are consistently seen by buyers, lenders, and their advisers as more restricted and harder to develop. Based on experience in other Australian jurisdictions, a discount of 10–30% compared to equivalent residential-zoned properties is a probable outcome. For a \$600,000 property, this represents a loss of \$60,000–\$180,000.

Why probable but not certain:

No published Tasmanian study directly quantifies the LCZ discount. Property value is also affected by many factors beyond zoning alone.

[Based on comparable research in other Australian jurisdictions; Kingborough 35F Report p.73]

2. Lenders reduce borrowing capacity or decline to lend — LCZ; moderately for RZ

Lenders assess how much they will lend based on how easily a property could be sold. A property in a conservation zone is harder to sell, so lenders may require a larger deposit, charge higher rates, or decline to lend at all against the property.

Why probable but not certain:

Individual lender policies vary significantly. Some lenders treat rural zones pragmatically rather than categorically.

[Based on lender risk assessment practices — not sourced from a planning document]

3. Deferred investment causes lower property condition — LCZ

Where every routine improvement — a shed, extended driveway, water tank — may require a planning permit with an uncertain outcome, landowners tend to defer investment and maintenance. Over 10–20 years this compounds into a lower-value, worse-maintained property.

Why probable but not certain:

Individual landowners vary in how they respond to regulatory uncertainty.

[Based on observed behaviour in conservation zones across Australia]

4. Future rezoning is harder and more expensive to achieve — LCZ

Once a property is zoned LCZ, any future attempt to change the zone to RLZ must demonstrate that the LCZ is no longer appropriate. A formal planning scheme amendment typically costs \$20,000–\$60,000 in professional fees and takes 2–5 years. The longer the LCZ is in place, the more planning history it generates in its favour.

Why probable but not certain:

Future TPC decisions are inherently uncertain and each case is assessed on its own merits.

[Based on how planning scheme amendments work under LUPAA]

5. Estate planning and inheritance options are limited — LCZ

Where subdivision is ruled out by the LCZ minimum lot size (50ha acceptable solution), landowners cannot divide a property between heirs or create a second lot for a family member — even where lot size would otherwise make this feasible under RLZ.

Why probable but not certain:

This depends on each family's individual circumstances and estate planning needs.

[SPP clause 22.5.1]

6. Bushfire clearance conflicts with landscape rules over time — LCZ only

As climate change increases bushfire risk, the interaction between bushfire management requirements (which may require vegetation clearance) and the LCZ's landscape value protections will intensify. In the LCZ, clearance beyond a narrow exemption may still require assessment against landscape values. In the RLZ, bushfire clearance is more straightforwardly accommodated.

Why probable but not certain:

The specific outcome depends on the extent of clearance required and the vegetation on each individual property.

[SPP clause 22.4.4; SPP Bushfire-Prone Areas Code]

7. Annual insurance becomes harder or more expensive — LCZ

Separate from the total loss/reinstatement issue, the LCZ classification may affect the cost and terms of annual building insurance. Some insurers apply surcharges to properties in conservation zones on the basis that future rebuilding or improvement will attract greater regulatory scrutiny.

Why probable but not certain:

Insurance terms vary significantly between providers and individual properties.

[Based on landowner reports and general insurance market practice]

8. Crown access issue discovered too late — no remedy — LCZ and RZ

Many landowners purchased their properties without knowing that the TPS would impose a permanent road access requirement their Crown Road licence cannot satisfy. There is no remedy for a landowner in this position — they must either fund an easement process (\$25,000+, 12–18 months, not guaranteed) or accept that a new dwelling cannot be built on the land they purchased for that purpose.

Why probable but not certain:

NRE has stated it will try to facilitate access where possible, so outcomes will vary by property.

[Kingborough Council written response; NRE advice as reported by Council]

9. Chilling effect reduces investment in affected communities — LCZ

In localities where some properties are in the RLZ and others in the LCZ, those in the LCZ face restrictions their immediate neighbours do not. This visible inequality is likely to reduce the willingness of LCZ landowners to invest in, maintain, or improve their properties over time.

Why probable but not certain:

This is a social and behavioural impact that varies by community and individual.

[Based on experience in other jurisdictions with mixed zoning outcomes in residential areas]

PART 3 — KEY CONTRASTS WITH RLZ: QUICK REFERENCE

Plain language summary of the most important practical differences. This table can be used as a standalone reference.

Situation	Under LCZ or RZ	Under RLZ
Building a new home	LCZ: needs a planning permit if no building area on title — can be refused. RZ: permit required for a new dwelling — can be refused.	No permit needed. A standard building permit is all that is required.
Cost of getting a permit	LCZ: \$12,000–\$40,000 in professional fees and reports, plus risk of refusal and appeal costs of \$20,000–\$60,000. RZ: lower but still requires a permit.	No planning permit needed for a dwelling that meets the standard rules.
Maximum building height	LCZ: 6 metres standard — tight for a two-storey house. Going higher needs a permit. RZ: 8.5 metres.	8.5 metres — same as RZ, more than LCZ. No permit needed to reach this height.
Hobby farming / grazing	LCZ: needs a planning permit — can be refused. RZ: no permit needed.	No permit needed.
Short-term rental (Airbnb)	LCZ: needs a permit — can be refused; assessed against landscape values. RZ: permitted in existing buildings.	Permitted outright — no permit required.
Subdivision potential	LCZ: minimum 50 hectares — effectively impossible for most lots. RZ: 40 hectares minimum — also very restrictive.	Possible from 1 hectare (RLZ A) to 10 hectares (RLZ D) depending on the subcategory applied.
Road access for a new dwelling	LCZ and RZ: must have permanent access to a publicly maintained road. Crown Road licence is not enough. Formal easement costs \$25,000+ and takes 12–18 months — and may be refused.	No equivalent road access requirement in the RLZ building and works standards.
Rebuilding after a bushfire	LCZ: may still require a discretionary planning permit before rebuilding can begin if no building area is on the title — causing months or years of delay. RZ: similar permit process.	Rebuilding is no-permit-required — only a standard building permit is needed.
Ongoing building controls	LCZ: dark colours only; outbuildings capped at 100m ² ; all works potentially assessed against landscape values. RZ: no colour requirement; fewer ongoing restrictions.	No colour restrictions beyond subdued tones; no specific outbuilding size limit; no landscape value assessment required for routine works.
Property value and finance	LCZ: probable market value reduction of 10–30%; some lenders reduce borrowing capacity or decline to lend. RZ: moderate reduction likely.	Standard residential treatment by lenders. No conservation zone discount applies.

Document prepared from: SPP clauses 22.2, 22.4.1–22.4.4, 22.5.1, 20.2, 20.4.2–20.4.3, 11.2, 11.4.1–11.4.2, 11.5.1; Section 8A Guideline No. 1 (LCZ 4(a), RLZ 1, RZ 1); Ireneinc LCZ Review and Findings Report; Kingborough Council section 35F Report; Kingborough Council written response incorporating SPO and NRE advice; zone comparison analysis developed across multiple project conversations. Version current as at April 2026.

