
From: Alina Heikkila [REDACTED]
Sent: Sunday, 3 May 2026 9:29 PM
To: Kingborough LPS
Subject: TPC Submission - [REDACTED] Template Representor Not Yet Heard
Attachments: TPC Submission - [REDACTED] Template Representor Not Yet Heard.pdf

Good Evening,

Please find attached my TPC Submission in regard to [REDACTED], Kettering.

Many thanks,

Alina Heikkila.

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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 be included within the Rural Zone (RZ) under the draft Kingborough Local Provisions Schedule (LPS), rather than remaining in the Landscape Conservation Zone (LCZ) as exhibited.

I previously made a representation on the draft LPS. I understand that my representation has not yet been heard and will be heard at a future hearing. I understand that this letter provides me the opportunity to make a further written submission in relation to the Ireneinc recommendations, and that I may speak to this submission when I appear before the Commission. I take up that opportunity and submit as follows:

Landowner names	Alina Heikkila
Property address	[REDACTED], Kettering TAS 7155
Title reference (folio)	[REDACTED]
Lot size (approx.)	3.42 ha
Locality	Kettering (Woodbridge - for some reason for the purposes of this process?)
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Rural Zone
Zone sought in this submission	Rural Living Zone B (RLZ[B])

STATEMENT OF POSITION

I welcome the Ireneinc recommendation to move my property away from the Landscape Conservation Zone (LCZ) as exhibited. The LCZ is not an appropriate zone for my property, and I'm pleased that the review has recognised this.

However, I do not consider the Rural Zone (RZ) to be the most appropriate outcome. I submit that the Rural Living Zone (RLZ) better reflects the existing use, settlement character, and residential intention of my land, and is more 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), and the Southern Tasmania Regional Land Use Strategy (STRLUS).

I request that the Commission determine that the RLZ is the appropriate zone for my property under the draft Kingborough LPS.

The application of the RLZ to the subject land is not an ad hoc or isolated rezoning request but rather reflects an existing and established rural living settlement pattern. The proposed zoning is consistent with the strategic intent of the Southern Tasmania Regional Land Use Strategy, which supports consolidation of rural living development within identifiable clusters, rather than dispersal across productive rural land. The [REDACTED] locality exhibits a clearly identifiable rural living settlement pattern consistent with these strategic objectives. Accordingly, applying RLZ to the subject land would give effect to the existing settlement pattern rather than expanding rural living development into undeveloped land.

The specific RLZ subcategory I seek is:

- Rural Living Zone B (minimum lot size 2 ha) — appropriate where lot sizes exceed 2 ha but are less than 5 ha. The application of RLZ[B] ensures that no additional subdivision potential is created beyond what is consistent with the existing settlement pattern.
- The proposed RLZ[B] categorisation reflects the prevailing lot size pattern within the [REDACTED] locality, where a significant proportion of properties are within the 2–5 hectare range. This ensures that the zoning aligns with the established subdivision pattern and represents a proportionate planning outcome consistent with the existing low-density residential character.

GROUNDNS FOR THIS SUBMISSION

Part 1: RZ does not adequately recognise the residential character of my property

Whilst I welcome the Ireneinc recommendation to move away from LCZ, the RZ purpose is directed at land in non-urban areas where agricultural use is limited or marginal and where the primary function is rural rather than residential. The RZ does not give priority to residential amenity and treats dwellings as a discretionary use that must demonstrate compatibility with surrounding rural activities.

- **The RZ purpose does not reflect the primary intention of my land**

The purpose of the RZ (Zone Guidelines, clause 20.1.1) is to provide for use or development in a rural location where agricultural use is limited or marginal, that requires a rural location for operational reasons, and that minimises adverse impacts on surrounding uses. Whilst my property is rural in setting, its primary existing and intended use is residential — not agricultural or resource-based. This is also the case for the majority of properties on [REDACTED] that the Ireneinc report has also proposed to change to RZ. The RZ does not give priority to the protection of residential amenity in the way the RLZ does.

Applying the Rural Zone to land with an established residential settlement pattern introduces an inherent land use conflict, as the zone prioritises agricultural activities that may adversely impact residential amenity. This outcome is inconsistent with the existing and intended use of the land and would create unnecessary planning tension.

In addition, the subject land does not exhibit characteristics of land suitable for ongoing or future agricultural production. The steep topography, dense bushland, established landscaping, and long-standing residential use significantly limit its agricultural capability. As such, applying the Rural Zone would not achieve its intended purpose of protecting productive rural land.

My property contains a dwelling constructed in 1996 and has been continuously occupied as a primary residence for approximately 30 years. During my tenure, the primary use of the land is and has always been residential, with 2.5 ha of well-established landscaped gardens. The rest of the property consists of dense bushland with limited agricultural capability due to its steep topography. The property is not located on a prominent skyline or ridgeline, and it is not visible to the public eye from anywhere other than a small section of direct road frontage on [REDACTED] itself. My property is in keeping with all neighbouring properties in that they are large lot properties whose principal use is deemed as residential.

- **The RLZ purpose more accurately describes my property**

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 is a precise description of my property. Zone Guideline RLZ 2(b) further confirms that the RLZ may be applied to ELZ land where the primary strategic intention is for residential use and development within a rural setting. As previously stated above, our property is used primarily as a residence, with 2.5 ha of densely well-established landscaped gardens, consistent with lower-order rural activities as described in RLZ 1(a).

Part 2: My property satisfies the Ireneinc criteria for RLZ, not merely RZ

The Ireneinc evaluation framework identifies specific suitability indicators for RLZ, including evidence of residential use; a settlement pattern of 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. My property and the surrounding settlement satisfy these indicators, which is why RLZ — not RZ — is the appropriate outcome.

- **Residential intention is clearly established**

The Ireneinc framework's first decision point asks whether there is a strategic intention for residential use. My property clearly satisfies this: it contains an established dwelling, has been occupied as a residence, and the ELZ under which it has operated was a residential zone that permitted dwellings as of right.

Our property contains a house constructed in 1996, with a shed, and a variety of outbuildings (smaller sheds). It has been continuously occupied as a primary residence for the past 30 years. There is no ambiguity about the residential intention of this land.

- **Rural living settlement characteristics are present**

The Ireneinc framework requires evidence of a rural living settlement pattern: at least 10 smaller blocks generally ranging 1–15 ha with a consistent lot pattern, detached dwellings with outbuildings, and rural activities. The broader settlement in which my property sits clearly displays these characteristics, as confirmed in the Ireneinc Locality Report for our area.

The [REDACTED] locality comprises an established pattern of multiple rural residential properties, generally ranging in size between 1 and 22 hectares, each containing a dwelling and associated outbuildings. This settlement has been established since the 1980s and is characteristic of a 'rural living settlement'.

The subject land is already serviced by existing road access and functions as part of an established residential area. Accordingly, RLZ[B] would recognise the existing pattern of occupation without generating additional infrastructure demand beyond what is already occurring.

- **RZ was applied to resolve fragmentation, not because RLZ is inappropriate**

The subject land forms part of an already fragmented rural living settlement. The application of the Rural Zone would not reverse or mitigate this fragmentation but would instead apply a policy framework designed for intact agricultural land to an area where that objective is no longer achievable.

The Ireneinc report applies RZ in some localities primarily to avoid fragmented LCZ application and to reflect the Rural Resource Zone under the KIPS2015 — not because the land lacks residential character. The modifications table in the Ireneinc Locality Report confirms that RZ was considered 'another alternative in place of RLZ' in some instances, not necessarily the preferred outcome where residential character exists. Where my property has residential characteristics, RLZ[B] is more appropriate than RZ even where Ireneinc defaulted to RZ for administrative consistency reasons.

The Ireneinc report clearly identified that the properties along [REDACTED] have characteristics of a rural living settlement. However, the Ireneinc report chose to default zoning in favour of a small fringe of land to the east which is already proposed to be transitioned to the RZ, stating that the uses and extent of vegetation on the [REDACTED] properties are considered relatively consistent with those occurring in the proposed RZ land. It is submitted that if the uses and extent of vegetation on the small fringe of land to the east is relatively consistent with the [REDACTED] properties (which together form a larger land area), then the small fringe of land to the east could reasonably be rezoned to RLZ in keeping with the zoning desired by many of the property owners on [REDACTED].

Part 3: TPC panel statements from the hearing support RLZ over RZ

- **RZ was described as an alternative to RLZ, not a preferred outcome**

The Ireneinc modifications consistently note that 'RZ should be considered as another alternative in place of RLZ, potentially as being more suitable than LCZ in some instances.' This framing makes clear that RZ is a fallback — not a preference over RLZ — where residential settlement characteristics do not clearly establish RLZ. Where those characteristics are present, as on my property, RLZ[B] is the preferred and most logical outcome.

- **Ireneinc recommended full RLZ transitions for comparable localities**

The Ireneinc report recommended full ELZ to RLZ transitions for 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. In each case, the key factors were established residential settlement pattern, lot sizes consistent with RLZ subcategories, and absence of significant landscape values on individual titles. My property shares these characteristics. There is no principled basis for applying RZ to my property rather than RLZ.

- **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 across Howden, Albion Heights, and Kingston West. Properties do not need to demonstrate active farming or grazing — residential use in a rural setting is sufficient. The absence of active agricultural use on the subject land is consistent with the intended function of the Rural Living Zone, which prioritises residential use within a rural setting rather than agricultural production.

- **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. I trust that the Commission will assess our property against the Zone Guidelines, not the Ireneinc framework alone. Where the framework defaults to RZ but the Zone Guidelines support RLZ, the Zone Guidelines prevail.

Part 4: The RLZ subcategory provides adequate protection of landscape values

The Ireneinc report and the Zone Guidelines both identify the risk that RLZ could enable further subdivision that might adversely affect landscape values. However, this risk is addressed by selecting the appropriate RLZ subcategory. Zone Guideline RLZ 2(b) specifically contemplates applying RLZ[B] (minimum 2 ha) to ensure no further subdivision occurs where lot sizes are large.

My property has an area of 3.42 ha. Under RLZ[B], the minimum lot size is 2 ha. The application of RLZ[B] would significantly limit subdivision potential and ensure that any future subdivision remains consistent with the existing low-density settlement pattern.

Furthermore, where landscape values exist in the broader locality, they can be appropriately managed through the Priority Vegetation Area (PVA) overlay and the Scenic Protection Code (SPC). These controls, combined with the RLZ minimum lot size, provide sufficient protection of any landscape values without requiring RZ.

Part 5: Consistency with comparable properties and localities

- Applying RZ rather than RLZ to a property with clear residential settlement characteristics creates an inconsistency with comparable properties in the municipality that have been recommended for or confirmed in RLZ. Where nearby properties with substantially similar characteristics — lot size, existing dwelling, rural setting — have been recommended for RLZ, there is no principled basis for treating my property differently.
- The rezoning of the subject land to RLZ[B] would not create an undesirable precedent, as it reflects an already established and clearly defined rural living settlement. This outcome is consistent with zoning outcomes already applied to comparable localities within the municipality. The request does not seek to extend RLZ into new or undeveloped areas, but rather to correctly recognise an existing pattern of development.

Properties on Groombridges Road, directly across the valley from [REDACTED], with a similar elevation, have been recommended for RLZ. The Ireneinc report does not identify any difference between those properties and mine that would justify the different zoning outcome.

I hold significant concerns regarding Ireneinc's evaluation of our locality. The report demonstrates a flawed and inconsistent approach to the application of the decision tree framework. Insufficient focus was given to the clearly established settlement pattern reflective of rural living on [REDACTED]. Whilst the Ireneinc evaluation against decision point 4 for the Woodbridge locality did acknowledge an existing settlement pattern and characteristics of rural living settlement, it failed to give adequate weight to this fact, instead favouring mention of a fringe of land to the east which is already proposed to be transitioned to RZ and stating that the [REDACTED] settlement represents this fringe of land. The exact location of this 'fringe of land' is unclear. It is submitted that the [REDACTED] settlement (Woodbridge locality) should have been more accurately compared to that of [REDACTED] (Kettering West locality), the next road directly north of [REDACTED] with a near identical settlement pattern with regards to lot size, rural living characteristics, land use and vegetation cover. Especially as [REDACTED] and the fringe of land, are mapped within Kettering borders and are not a part of Woodbridge (as per the LIST.tas.gov.au Maps).

One of the recommendations in section 3.6.2.2 of the Kettering West locality (Ireneinc report page 297) states the following: "The balance of the [Kettering West] locality is recommended to transition from the ELZ to the RLZ, recognising this land as an extension of an existing rural settlement where the land also exhibits similar rural living settlement characteristics in terms of evident pattern of subdivision and pattern of land use. Many of these parcels are identified as having significant

landscape values, however it is acknowledged that much of this land is within the Priority Vegetation and Scenic Protection Mapping which would provide for appropriate management of landscape values which also exist within this area. In considering the RLZ in transitioning the ELZ, it is only appropriate where RLZ categorisation provides for no further subdivision. In the northern portions of the locality, this reflects the proposed zoning exhibited by council during exhibition of the planning scheme.”

I strongly believe that the above recommendation applies directly and more accurately to the [REDACTED] settlement. My desired zoning of RLZ[B] with its prescribed minimum lot size of 2 ha would effectively limit further subdivision and maintain the existing low-density settlement pattern across the [REDACTED] locality and, similar to [REDACTED], all of the [REDACTED] properties are subject to the Priority Vegetation and Scenic Protection Mapping which would provide for appropriate management of landscape values which also exist within this area.

The Ireneinc recommendation for the [REDACTED] settlement (Woodbridge locality for the purposes of their report) is inconsistent with the outcome produced by the same evaluation framework applied to the more comparable Groombridges Road settlement in the Kettering West locality.

CONCLUSION AND RELIEF SOUGHT

For the reasons set out above, I submit that:

1. Whilst I welcome the Ireneinc recommendation to move away from the LCZ, the RZ does not adequately recognise the established residential character of my property.
2. My property satisfies the criteria for RLZ under Zone Guidelines RLZ 1(a) and RLZ 2(b): it is a residential property with larger lots in a rural setting, with a mix of residential and lower-order rural activities, and the primary strategic intention is residential.
3. The appropriate RLZ subcategory for my property is RLZ[B], which reflects the existing lot size and settlement pattern and does not create a pathway for further subdivision.
4. Any landscape values in the broader locality can be appropriately managed through existing overlay controls — NAC, PVA overlay, and SPC — in combination with the lot size controls of the RLZ subcategory, without requiring RZ.

I respectfully request that the Commission:

- Determine that the draft Kingborough LPS should be modified to include my property within the RLZ[B]; and
- 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 of the Register [REDACTED] at [REDACTED], Kettering, (Woodbridge locality as per Ireneinc report), be included within the Rural Living Zone [B] in the Kingborough Local Provisions Schedule.

Signed:

[REDACTED]

Alina Heikkila

Contact email:

Phone:

Date:

3rd May 2026

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)
KIPS2015	Kingborough Interim Planning Scheme 2015
LCZ	Landscape Conservation Zone
Locality	Mean the relevant locality as defined in the Ireneinc report
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