
From: Archer, Chantelle <[REDACTED]>
Sent: Thursday, 30 April 2026 9:32 AM
To: Kingborough LPS
Subject: Objection Submission for rezoning
Attachments: Submission - Chantelle Archer and Cody Elo - [REDACTED].pdf

Good morning, Tasmanian Planning Commission

Please accept this email as a formal submission in relation to the recommendations made in the Ireneinc report.

Kind regards,
Chantelle Archer
[REDACTED]

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Name(s)	Chantelle Archer and Cody Elo [REDACTED]
Date	29 April 2026
Property Address	[REDACTED], Snug, TAS 7054
Title	[REDACTED]
Requested Zone	Rural Living Zone

To the Tasmanian Planning Commission,

Our names are Chanelle Archer and Cody Elo. Thank you for the chance to speak about our property at [REDACTED].

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

Rural Living Zone (RLZ) A (minimum lot size 1 ha) would be more suitable. We respectfully ask the Commission to apply this zone, in line with the original purchase, zoning allowances, and the site's current or future residential use. RLZ is also proposed for adjoining properties at [REDACTED].

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



(Photo above – Our home built in 2023)



(Photo above – our home nestled in the bush)



(Photo above – green house)

This property was acquired in 2010 with a clear long-term commitment to family life and continuity. From the beginning, our intention was to create a stable home environment where our children could grow up with a strong sense of place, develop lasting connections to the land, and view the property as a long-term base rather than a short-term residence.

Since purchase, we have steadily upgraded and maintained the dwelling and surrounding land, undertaking improvements that enhance its functionality, safety, and liveability. We anticipate continuing this approach over time to ensure the property remains well managed, fit for purpose, and capable of supporting our family's changing needs into the future.

Looking ahead, we seek flexibility to support a modest, family-oriented caretaker-style living arrangement on part of the land. This would assist with the day-to-day oversight and care of the property while providing our children with an opportunity to live close to home during their university years. Such an arrangement would offer a practical and affordable stepping stone toward independence, while retaining strong family connections.

This form of use aligns with the existing living intent for the area, supporting extended family presence and on-site care without introducing urban-style density or disrupting the established rural settlement pattern. It also allows for occasional accommodation of visiting family and friends, while maintaining the landscape character, scale and appearance consistent with surrounding rural residential development.

The property is actively managed with bushfire preparedness as a priority. We undertake works consistent with Tasmania Fire Service guidance, including vegetation management, maintenance of fire breaks, and ongoing fuel reduction, to reduce risk and ensure the land is managed responsibly and sustainably.

The property is registered with Tasmania's Land for Wildlife program, and we actively participate in the scheme as part of our ongoing approach to responsible land stewardship. The program recognises and supports private landholders who voluntarily manage their land in a way that protects and enhances natural values alongside other land uses.

Participation in Land for Wildlife reflects our commitment to integrating nature conservation into the day-to-day management of the property. As private landholders manage many of Tasmania's most significant wildlife habitats, involvement in this program contributes to broader conservation outcomes across the state. Through this network of conservation-minded landowners, the program plays an important role in protecting native flora and fauna and maintaining habitat connectivity on private land.

Overall, we regard the property as a long-term commitment to our family's wellbeing and security. It is our principal place of residence and one we intend to remain closely connected to as our family evolves over time.

LCZ DOES NOT COMPLY WITH LUPAA ZONE GUIDELINES

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

Our property is currently zoned Environmental Living (ELZ). The primary use and strategic intention of the land is and has always been residential. It has a dwelling built in 2023, has been occupied continuously, and is serviced by Aurora Energy. There's no evidence the land's primary use is anything other than residential.

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

In correspondence with the Planning Authority, the TPC noted that the LCZ "appears to have been used ...to replace ELZ", a policy or strategy shift which should be 'comprehensively justified'. Neither the draft LPS nor

IreneInc's review has provided detailed, site-specific reasons for changing our land's priority. They based their decision on general landscape values and rural settlement judgments, neither had community input.

LCZ DOES NOT COMPLY WITH LUPAA OBJECTIVES

LUPAA Schedule 1, Objective (b), aims for 'fair, orderly, and sustainable' land use. Applying LCZ conflicts with this objective. It is unfair to remove permitted residential use; applying LCZ represents a net reduction in existing land use rights. Most Tasmanian councils moving to the Statewide Planning Scheme applied the LCZ sparingly or not at all. Only a few used it moderately or heavily. Most councils (such as Tasman) translated ELZ directly to the Rural Living Zone, yet IreneInc chose as their model three councils that applied LCZ heavily.

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

RLZ IS THE APPROPRIATE ZONE

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

RLZ Guideline RLZ 2(b) states RLZ may be applied to ELZ land where the primary strategic intention is for residential use in a rural setting and a similar minimum allowable lot size is being applied. Our property's size of 8.85 ha aligns with RLZ A with a minimum lot size of 1 ha.

THE IRENEINC EVALUATION PATHWAY (DECISION TREE)

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

EVIDENCE OF STRATEGIC INTENT FOR LIVING

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

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

EVIDENCE OF RURAL LIVING SETTLEMENT

The IreneInc review acknowledges that the Snug Tiers community meets the *strategic intent for living* due to evidence of residential use throughout the area. However, the review largely denies Rural Living Settlement status on the basis of an alleged lack of a "consistent subdivision pattern with lots of a size which would contribute to a rural living settlement."

This conclusion is based on two flawed assumptions. First, the assessment favours smaller lot sizes and overlooks the structure of the Rural Living Zone, which includes sub-categories that limit subdivision of lots under 20 hectares and naturally constrain development on larger lots through access, servicing, and infrastructure requirements. Importantly, there is no maximum lot size in the RLZ. Secondly, the review appears to only recognise "consistent patterns" where development resembles urban-style cul-de-sacs or clustered road layouts, rather than rural and lifestyle settlements that respond to topography, inherited lot patterns, and long-term rural living use. In Snug Tiers, there is a clear and consistent pattern of large-lot subdivision oriented along the valley, generally aligned northwest to southeast in response to landform.

These assumptions fail to account for the functional reality of the community. Residents live only minutes from Snug township, where they access services, support local businesses, send children to school, recreate, and work. The reliance on desktop analysis, without adequate ground-truthing, results in subjective conclusions that do not accurately reflect on-the-ground settlement patterns. Notably, Irenelnc identifies three adjoining properties on [REDACTED] as displaying a “consistent pattern of rural living,” including our own property, yet still proposes LCZ for the area.

When rural living settlement criteria are not applied consistently or supported by site-specific assessment, the evaluation fails to properly consider whether landscape values could be managed through existing planning codes. Instead, LCZ becomes the default outcome unless an area is assessed as having no landscape values—an unrealistic threshold in rural Tasmania.

The Snug Tiers community clearly meets all three recognised rural living settlement characteristics:

1. Lot pattern – There is a consistent pattern of smaller and medium-sized lots, generally between 1 and 15 hectares. *Snug Tiers Settlement by Lot – MAP A* shows my property among 41 others, with lot sizes ranging from 0.18 hectares to 29.89 hectares, a pattern established since the early 1800s. Available RLZ minimum lot sizes provide adequate control over future subdivision potential. This settlement directly adjoins land at [REDACTED] which is proposed for RLZ.
2. Detached dwellings and outbuildings – Irenelnc acknowledges this criterion is “generally met,” with many lots containing residences and cleared areas. *Snug Tiers Living Intent – MAP B* demonstrates that dwellings and outbuildings are present on nearly every property, including sites with approved development applications or clear strategic intent for living.
3. Rural activities – Visual evidence of clearing, grazing, hobby farming and related rural uses is evident throughout the locality. While Irenelnc notes that “some residential uses are associated with farming,” it was clarified at the review hearing that the listed criteria are examples, not mandatory thresholds.

ASSESSING LANDSCAPE VALUES

The Southern Tasmanian Regional Land Use Strategy (STRLUS CV 4.1) requires that landscape values be determined through consultation with the community. Irenelnc acknowledged during review hearings that no community consultation was undertaken. As a result, the identification of “landscape values” relies solely on the Planning Authority’s interpretation.

The assessment places disproportionate emphasis on vegetation-centric descriptors such as “bushland,” “native vegetation,” and dwellings “nestled into vegetation,” while overlooking other defining landscape features including waterways, open paddocks, grasslands, clearings, trails, and areas of active land management. This diversity is fundamental to healthy rural and biodiverse landscapes and aligns with evidence that people value varied rural scenery that includes dwellings, sheds, and domestic animals.

This approach leads to several flawed conclusions:

- Vegetation presence alone does not justify LCZ. As confirmed at the TPC hearing on 14 April 2026, LCZ is not intended to manage vegetation; this role is fulfilled by the Natural Assets Code and other overlays that already apply.
- Describing dwellings as “scattered” implies a lack of planning intent, which is inconsistent with the clear pattern of rural living evident in *Snug Tiers Living Intent – MAP B*.
- The review implies that retaining large, vegetated areas reflects a preference for conservation over living, when these outcomes are the result of planning controls and responsible rural land management.
- Owning property in a natural setting does not indicate that residents prioritise landscape conservation over residential amenity. Residents chose Snug Tiers for rural living, not to contribute to undefined municipal landscape values.

- The assessment relies heavily on aerial imagery and overlays, without adequate consideration of topography or on-site visibility. Even IrenelInc acknowledges that ridgelines and landforms remain visually intact. In practice, dwellings in Snug Tiers are not visible from key public viewpoints, including waterways.

SPOT ZONING, SPLIT ZONING AND FRAGMENTATION

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

IrenelInc have also shown that their application of this method is inconsistent. For example, a large lot of 108.84ha at 2274 Channel Highway is split zoned Rural/RLZ and abuts ELZ, RLZ, and Low-Density Residential zones, while smaller ELZ parcels have been denied RLZ at all.

BALANCING LANDSCAPE VALUES AND LAND USE

In its section 35F report, Kingborough Council states that applying the Rural Living Zone to rural residential areas may risk erosion of the area's predominant land-use pattern and characteristics. This position overlooks the long-established rural living nature of the locality and fails to acknowledge that rezoning land to the Landscape Conservation Zone would, in fact, significantly restrict lawful private land use, thereby guaranteeing a change in character and amenity.

While the report identifies a "medium/high" risk associated with Rural Living Zone uses, it does not clearly define those risks, assess their likelihood in light of existing topography, vegetation and settlement patterns, or explain why they could not be effectively managed through overlay codes, site-specific planning controls or standards. IrenelInc acknowledged that any short-term risks could be mitigated and that zoning outcomes may be revisited in future reviews, which supports the appropriateness of RLZ rather than LCZ for this property.

At the review hearings, IrenelInc confirmed that there are no land uses permitted under the Rural Living Zone that would impact landscape values beyond what is already regulated through existing building controls and overlays. This aligns with RLZ Guideline 4(b), which recognises that landscape values can be appropriately managed through the application and operation of relevant planning codes, without the need for more restrictive zoning.

Assuming that the Landscape Conservation Zone is the only effective mechanism for protecting generic landscape values disregards existing land stewardship, bushfire mitigation, and biodiversity management already undertaken by landowners. It also conflicts with the intent of the evaluation framework, which requires a balanced assessment between landscape protection and existing land use.

IrenelInc's suggestion that LCZ is required near the Snug Recreation Area to provide connectivity to the Environmental Management Zone is inconsistent with planning practice elsewhere in Tasmania, where a range of living, rural and even industrial zones are located adjacent to National Parks and EMZs. Similar arrangements exist locally, including Low Density Residential zoning adjacent to the Coningham EMZ reserve.

Rural residential landowners play an essential role in managing the bush-land interface, including fuel reduction, weed control, pest management, trail maintenance and emergency access. These activities contribute significantly to biodiversity protection, bushfire risk reduction and community resilience. Overly restrictive zoning risks constraining this active land management, resulting in poorer environmental and safety outcomes that cannot be replicated solely by Council or State agencies.

SUMMARY

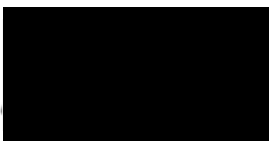
Throughout the LPS process, Kingborough Council has failed to consult the community and has not followed the objectives of LUPAA, which emphasise fair land use and community involvement. Their focus on environmental protection seems aimed at removing private land rights, risking long-term harm to residents'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

We appreciate the TPC taking heed of the concerns within this letter and we request that the TPC direct our property to be zoned from the ELZ to RLZ, with environmental priorities managed by existing natural values codes.

Yours sincerely,

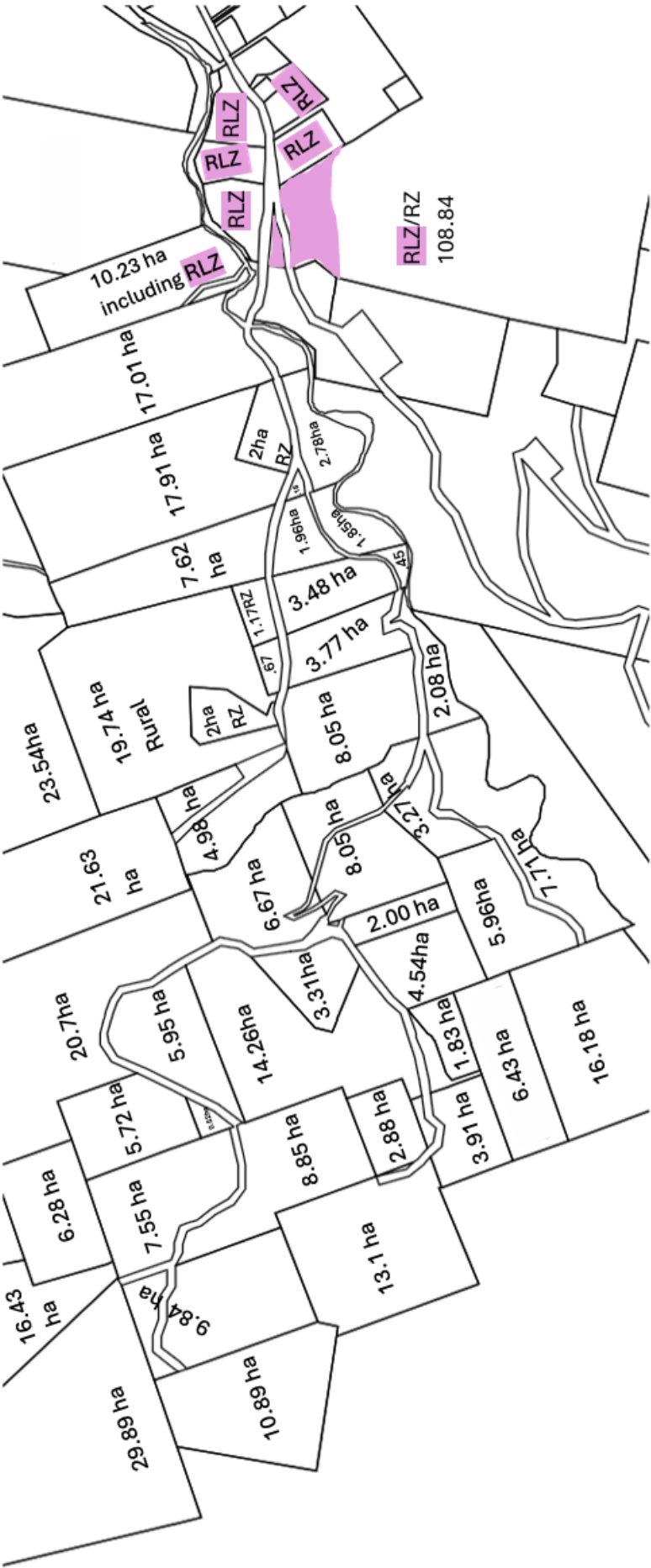


Chantelle Archer

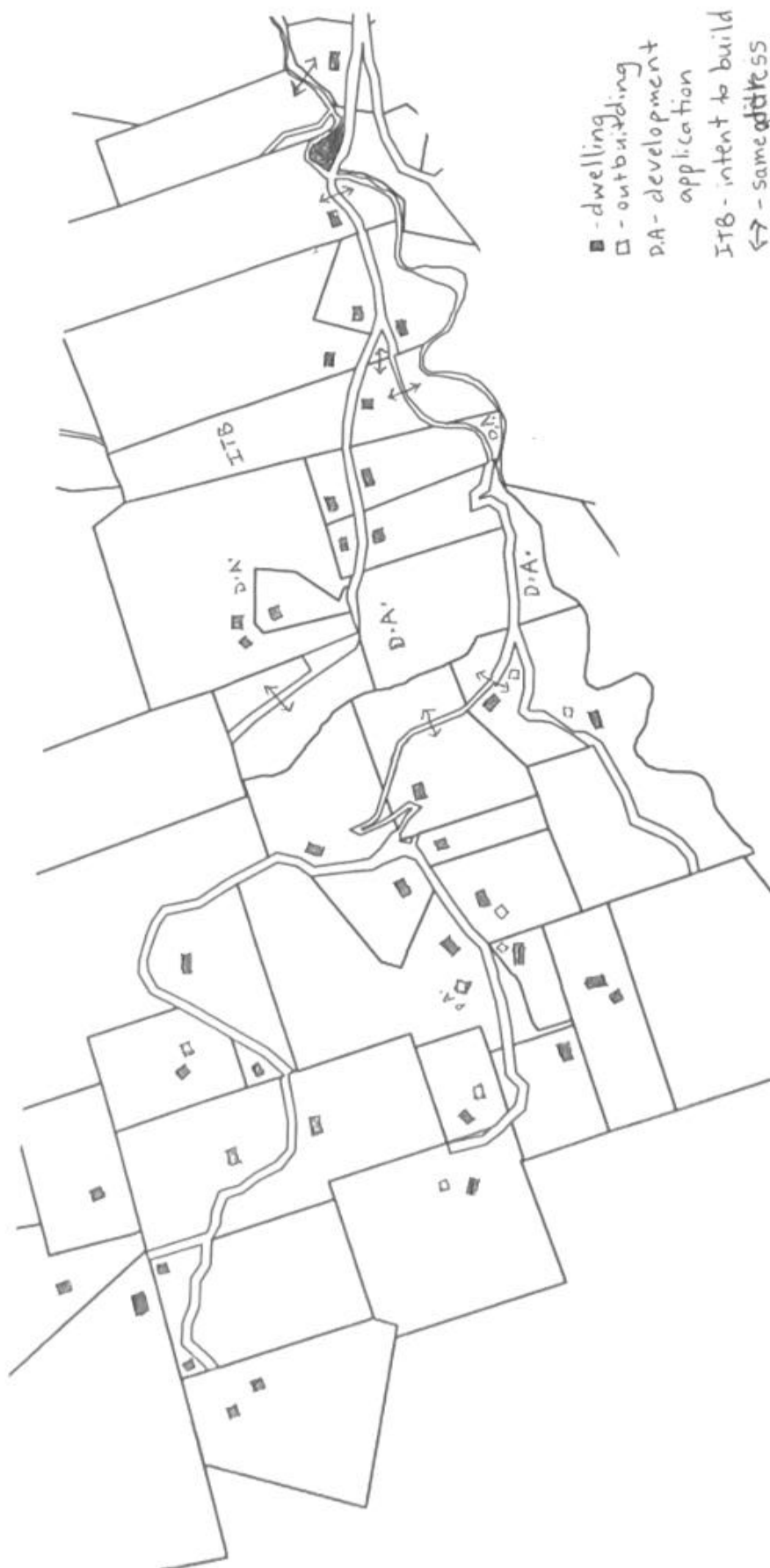


Cody Elo

29 April 2026



SNUG TIERS SETTLEMENT - LOT SIZE



SNUG TIERS RURAL LIVING STRATEGIC INTENT