
From: Shane Moody <[REDACTED]>
Sent: Monday, 4 May 2026 12:32 PM
To: Kingborough LPS
Cc: marianne Grace
Subject: [REDACTED] Allens Rivulet
Attachments: TS6_LCZ_RLZ_Seek_Full_RLZ.docx

Please find attached our written response to the Tasmanian Planning Commission in relation to LCZ zoning on our property.

Regards,

Shane Moody
[REDACTED]

WRITTEN SUBMISSION TO THE

TASMANIAN PLANNING COMMISSION

Kingborough LPS — Direction 69 / Ireneinc Report

TEMPLATE TS6

SPLIT ZONE TEMPLATE

Ireneinc recommends LCZ + RLZ

Seeking full Rural Living Zone (RLZ)

Use this template if:

- Your property has been split between LCZ (part) and Rural Living Zone (part)
- You welcome the RLZ on part of your property but want the WHOLE property in RLZ
- You received Letter 2, 4, 6 or 8

This template accepts the RLZ recommendation for the settled portion and argues that the same reasoning — codes manage landscape values, minimum lot size prevents subdivision — applies to the LCZ portion too.

⚠ DEADLINE: Submissions must be lodged by midnight Monday 4 May 2026. This deadline is firm.

IMPORTANT DISCLAIMER: This template is for guidance only. It is not professional planning advice. Read the source documents, form your own view, and speak to a qualified planning professional or legal adviser before lodging.

HOW TO USE THIS TEMPLATE: Complete Parts A–F in order. Select your procedural opening variant in Part A and delete the other three. In Part B, carefully complete the highlighted rows describing the split zone boundary on your property. In Parts C–D, fill in the amber placeholders with evidence specific to your property. Complete Part E using the Locality Reference Guide. In Part F, specify the exact relief sought. Delete all amber boxes before lodging. Attach Attachment A.

PART A — PROCEDURAL OPENING (select one variant)

Select the variant that matches the letter you received. Delete the other three before lodging.

VARIANT A2 — LETTER 4: YOU MADE A REPRESENTATION; IT HAS NOT YET BEEN HEARD

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 split between the Landscape Conservation Zone (LCZ) and the Rural Living Zone (RLZ) under the draft Kingborough Local Provisions Schedule (LPS).

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

PART B — PROPERTY DETAILS

⚠ SPLIT ZONE NOTE: Your property has been given two different zone recommendations — part LCZ, part Rural Living Zone. The highlighted rows below require you to describe where the split boundary falls and how much of your property is in each zone. Also confirm the RLZ subcategory Ireneinc has specified for the RLZ portion — you will want to apply the same subcategory to the whole property.

— Complete all fields. Pay particular attention to the highlighted rows.

Landowner name(s)	Kerry Alfred Moody
Property address	Allen's Rivulet 7150
Title reference (folio)	
Total lot size (approx.)	25.00Ha
Locality	Allen's Rivulet
Current zone (IPS)	14.0 Environmental Living
Ireneinc recommended zones	Split: Landscape Conservation Zone (LCZ) + Rural Living Zone (RLZ)
Split boundary description	The LCZ applies to the internal property boundary that splits (5772050) and that splits the property diagonally through main cropping paddock.(approx. X14.25ha) in the rear Title.
Approx. area in LCZ	e.g. 14.25 ha — [describe: Residential upper/vegetated/elevated portion]
Approx. area in RLZ	e.g. 10.1 ha — [describe: lower/cleared/residential portion]
RLZ subcategory on RLZ portion (as recommended)	e.g. RLZ C — confirm the subcategory Ireneinc specified for your RLZ portion
Zone sought in this submission	Full Rural Living Zone (RLZ) across the entire property — same subcategory as the RLZ portion

PART C — STATEMENT OF POSITION

I welcome the Ireneinc recommendation that part of my property transition to the Rural Living Zone (RLZ). This confirms that my property has rural living settlement characteristics and that the residential character of the land is appropriate and recognized by the evaluation framework. I fully support the RLZ recommendation for that portion.

However, I do not accept that the remaining portion of my property should be in the Landscape Conservation Zone (LCZ). The reasons Ireneinc has given for recommending RLZ on the settled portion of my property — that existing scheme codes can manage landscape values and that the lot size prevents further subdivision — apply equally to the portion of the property recommended for LCZ.

I submit that the Rural Living Zone should apply to my entire property under section 34 of the Land Use Planning and Approvals Act 1993 (LUPAA), the Zone Guidelines (Guideline No. 1), and the Southern Tasmania Regional Land Use Strategy (STRLUS). If Ireneinc's own evaluation framework supports RLZ for part of my property, that same framework should produce the same result for the remainder.

The RLZ subcategory I seek for the whole property is:

- Rural Living Zone D (minimum lot size 10 ha)

Ireneinc has recommended RLZ C for the Northern portion of my property. I seek RLZ D for the whole property, including the Southern (LCZ) portion. Under RLZ D, no further subdivision of my property is possible, removing the key risk Ireneinc identified as justifying LCZ on the Southern portion.

PART D — GROUNDS FOR THIS SUBMISSION

Part D focuses specifically on why the LCZ portion should be RLZ. You are not challenging the RLZ recommendation for the settled portion — you are arguing that Ireneinc's own reasoning for that RLZ decision applies equally to the LCZ portion.

D1 — Ireneinc's own reasoning for RLZ on the settled portion applies equally to the LCZ portion

Ireneinc has already found, for the RLZ portion of my property, that: the land has rural living settlement characteristics; existing scheme codes can manage any landscape values; and the minimum lot size prevents further subdivision. Each of those findings applies equally to the LCZ portion of my property. If those reasons are enough to support RLZ on one part of my title, they are enough to support RLZ on the whole title.

➡ **Explain how each of Ireneinc's RLZ findings applies to the LCZ portion** *'Ireneinc found that the northern RLZ portion has rural living settlement characteristics. The northern LCZ portion is [directly adjacent to the same paddock used in the same way as] the RLZ portion. It is equally covered by the same existing code]. The landscape values Ireneinc identified for the LCZ portion — [describe] — are not meaningfully different from those present on the RLZ portion, which Ireneinc found could be managed by codes.'*

D2 — The LCZ portion does not have landscape values that codes cannot manage

D2.1 — Existing codes provide adequate protection on the LCZ portion

Zone Guideline LCZ 4(b) provides that LCZ should not be applied where landscape values can be managed by the Natural Assets Code or the Scenic Protection Code. At the Day 2 hearing, the TPC found at Kettering West [02:33:54] that the Priority Vegetation Area (PVA) overlay does the landscape-protection work — not the zone. Where PVA applies to my LCZ portion, the landscape values on that portion can be protected without LCZ.

➡ **Describe the code coverage on the LCZ portion of your property** *The LCZ portion of my property southern 14.2 ha) is within the Scenic Protection Area. The Priority Vegetation Area overlay does] apply to native vegetation on this portion. The Natural Assets Code applies to [describe any watercourse or coastal features]. These controls apply regardless of zone and provide meaningful protection of any landscape values on this portion without requiring LCZ.'*

D2.2 — Applying RLZ D to the whole property eliminates the subdivision risk

The main reason Ireneinc places LCZ on the vegetated or upper portion of a split property is concern that Rural Living Zone would allow further subdivision, intensifying development into an area with landscape values. This concern is directly addressed by applying RLZ D (minimum lot size 10 ha) to the whole property. Under RLZ D, no further subdivision of the entire title is possible — the landscape concern therefore does not arise.

➡ **Show that RLZ D (or your preferred subcategory) eliminates the subdivision risk** *My total property area is [25 ha]. On two Titles with Two existing dwellings Under RLZ [D], the minimum lot size is 10 ha (8 ha under performance criteria). My property [cannot be further subdivided at all under RLZ D]. Applying RLZ D to the whole property — including the current LCZ portion — eliminates any risk of subdivision extending into the vegetated northern area. The landscape concern Ireneinc has cited for LCZ therefore does not exist under RLZ D.'*

D2.3 — The LCZ portion does not independently meet the LCZ 1 threshold

Zone Guideline LCZ 1 requires the LCZ to be applied to land where landscape values are specifically identified for protection and conservation. The LCZ portion of my property does not independently meet this threshold — it forms part of a larger title, most of which Ireneinc has already found is appropriate for RLZ. Applying LCZ to the upper portion of the same title, where the landscape values are not meaningfully different from those present on the RLZ portion, is not consistent with a rigorous application of Zone Guideline LCZ 1.

➡ **Describe the landscape values on the LCZ portion and explain why they do not meet the LCZ 1 threshold** *The LCZ portion of my property consists of cleared hillside / regrowth from logging three times, with scattered eucalypts / open pasture. The vegetation on this portion is thicker in nature from the cropping paddocks, but is regrowth Not virgin forest There is no*

threatened native vegetation community, threatened species habitat, or named landscape feature specifically identified on the LCZ portion in the Ireneinc Locality Report.

D3 — The split creates an inconsistent and unworkable outcome

D3.1 — The split boundary does not reflect a meaningful difference in land character

A split zone across a single title is only appropriate where there is a clear and visible difference in character between the two portions — for example, a ridgeline separating heavily vegetated upper land from cleared residential lower land. Where the LCZ and RLZ portions of my property are not meaningfully different in character, the split is not justified.

➔ **Explain why the split boundary does not reflect a meaningful physical difference** *The boundary between the LCZ and RLZ portions of my property falls along the southern internal fence line, at a point approximately 150 metres from the dwelling, at the top of a gentle slope. There is a change in vegetation density but there are paddocks and gardens past this point with no change in land use at this point. This area includes stock shelters, water sources and yards.*

D3.2 — The split imposes LCZ restrictions on land used in the same way as the RLZ portion

The LCZ portion of my property is used in the same way as the RLZ portion — for [grazing / residential curtilage / rural activities associated with the dwelling]. Applying LCZ to that portion imposes restrictions on use and development that are inconsistent with how the land is and has been used, and disproportionate to any planning benefit, given that the neighbouring RLZ portion is subject to the same use without LCZ restrictions.

➔ **Describe the existing use of the LCZ portion and how it is the same as the RLZ portion** *The LCZ portion Southern 10 ha) is used for grazing / fencing maintenance / vegetation management associated with the dwellings. This is the same use as the RLZ portion Northern 4.2 ha. The application of LCZ to the southern portion would mean that routine maintenance activities — such as vegetation clearing for fire access / construction of a new fence / installation of a water tank] — would require a discretionary planning permit on the LCZ portion but not on the RLZ portion, even though both portions are used identically.*

D4 — The LCZ portion should follow the same outcome as the RLZ portion

The Ireneinc evaluation framework is intended to produce consistent outcomes from consistent evidence. Where Ireneinc has already applied the framework to part of my property and found RLZ appropriate, applying the same framework to the remainder of the same property should produce the same result, unless there is a clear and documented difference in the characteristics of the two portions. No such difference has been documented in the Ireneinc Locality Report for my area.

➔ **Confirm that the Ireneinc Locality Report does not document a meaningful difference between the two portions** *The Ireneinc Locality Report for [locality] does not identify any specific feature, vegetation community, scenic value, or landscape characteristic that is present on the LCZ portion of my property but absent from the RLZ portion. The split zone appears to have been applied to resolve a fragmentation issue or to avoid an isolated RLZ designation — not because the LCZ portion has independent landscape values that meet the LCZ 1 threshold.*

D5 — Locality-specific inconsistency (Attachment A)

A formal comparison of the Ireneinc evaluation across localities is attached as Attachment A. That document identifies localities where properties with a similar combination of settled lower land and vegetated upper land were recommended for full RLZ — with the upper portion managed through the RLZ minimum lot size and existing codes, rather than LCZ.

➔ **Identify the relevant comparison from Attachment A** *As shown in Attachment A — Allen's Rivulet section, properties in Sandfly and Kaoota with a similar combination of cleared residential land and a vegetated upper portion were recommended for full RLZ [D]. The landscape value descriptions and the code coverage for those properties are near-identical to the descriptions for the LCZ portion of my property. There is no documented reason for a different approach on my LCZ portion.*

I request that the Commission have regard to Attachment A in assessing this submission.

PART E — LOCALITY-SPECIFIC CONTEXT

Use the Locality Reference Guide and the Inconsistency Analysis (Attachment A) to complete this section.

Locality name ALLENS RIVULET

What Ireneinc said about this locality Ireneinc recommended a split between LCZ (upper/vegetated portion) and RLZ (lower/settled portion) in this locality. The LCZ was applied to [describe the reason given — e.g. elevated bushland, ridgeline prominence, absence of SPA].

Why those reasons do not apply to the LCZ portion of your specific property The LCZ portion of my property is not within the area identified as having significant landscape value]. The Scenic Protection Area does my property. The vegetation on the LCZ portion is scattered native trees in cleared pasture, Although some denser bushland through the main creek line the area has scattered native trees in cleared pasture.

Comparable localities or properties that received full RLZ for similar upper portions 'Properties in Sandfly and Kaoota with a similar mix of cleared residential land and a vegetated upper portion were recommended for full RLZ. The landscape value descriptions for those properties are comparable to the LCZ portion of my property.

PART F — CONCLUSION AND RELIEF SOUGHT

For the reasons set out above, I submit that:

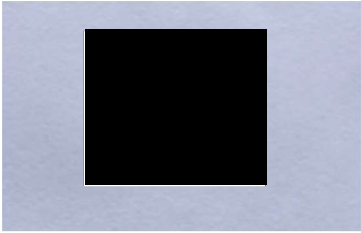
1. I welcome and support the Ireneinc recommendation that part of my property be included in the Rural Living Zone. This correctly recognises the rural living settlement character of the settled portion of my land.
2. The LCZ portion of my property should also be Rural Living Zone. The same evaluation that led Ireneinc to recommend RLZ for the settled portion applies equally to the LCZ portion — existing codes manage landscape values, the minimum lot size prevents subdivision, and the land character is not meaningfully different from the RLZ portion.
3. Applying LCZ to one portion and RLZ to the remainder of the same title is not justified by any documented difference in land character between the two portions. It imposes disproportionate restrictions on land that is used in the same way as the adjacent RLZ portion.
4. Rural Living Zone D across the entire property is the correct outcome under Zone Guidelines LCZ 4(b), RLZ 1(a), and RLZ 2(b). Under this subcategory, the minimum lot size of [10 ha] [eliminates / significantly limits] any further subdivision potential across the whole title, directly addressing any landscape concern about the upper portion.

I respectfully request that the Commission:

- Apply the Rural Living Zone specify subcategory D to my entire property (folio of the Register [title reference]) in the Kingborough Local Provisions Schedule; and
- Not apply a split between LCZ and Rural Living Zone across this title, as the LCZ portion does not independently meet the Zone Guideline LCZ 1 threshold and the landscape values on that portion can be appropriately managed by existing codes and the RLZ minimum lot size.

Insert your precise title reference and address

Signed:	Date: 4 May 2026 Contact email / phone: [REDACTED] / [REDACTED]
-----------------------	---

	
Full name: MR Kerry Alfred Moody	

LODGEMENT: Email to KingboroughLPS@planning.tas.gov.au — subject: 'Submission — Kingborough LPS Direction 69 — [REDACTED]'. Include your title reference. Attach Attachment A (cover note + relevant locality section). Deadline: midnight Monday 4 May 2026.