
From: Matt & Kel Dewey [REDACTED]
Sent: Monday, 4 May 2026 10:18 PM
To: Kingborough LPS
Subject: Submission — Kingborough LPS Direction 69 — [REDACTED] Kingston
Attachments: 26.04.05-Letter-to-TPC-with-Representation-re-[REDACTED] Kingston-Tas.pdf

Dear Tasmanian Planning Commission,

Please find **attached** our submission for Kingborough LPS Direction 69 for our property at [REDACTED] Kingston.

Landowner name(s)	Matthew Dewey and Kelly Dewey
Property address	[REDACTED]
Title reference (folio)	[REDACTED]
Lot size (approx.)	17 ha
Locality	Kingston
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Rural Living Zone (RLZ) — [subcategory to be specified]
Position in this submission	Accept RLZ — support and argue correct subcategory (RLZ D)

Kind regards,

Matthew and Kelly Dewey

Matt: [REDACTED]

Kelly: [REDACTED]

MATTHEW and KELLY DEWEY

[REDACTED]
Kingston TAS 7050

Ph 03 6204 9000

ATT: Nick Heath

Delegate (Chair)

Tasmanian Planning Commission

144 Macquarie St, Hobart TAS 7000

RE: Further Submission on Proposed Zoning for [REDACTED] Kingston, Tasmania

To the Tasmanian Planning Commission,

We 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 Living Zone (RLZ) under the draft Kingborough Local Provisions Schedule (LPS), rather than remaining in the Landscape Conservation Zone (LCZ) as exhibited.

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

Landowner name(s)	Matthew Dewey and Kelly Dewey
Property address	[REDACTED] Kingston
Title reference (folio)	[REDACTED]
Lot size (approx.)	17 ha
Locality	Kingston
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Rural Living Zone (RLZ) — [subcategory to be specified]
Position in this submission	Accept RLZ — support and argue correct subcategory (RLZ D)

We welcome and support the Ireneinc recommendation that my property be included within the RLZ under the draft Kingborough LPS. The RLZ is a significantly more appropriate zone for my property than the exhibited LCZ.

We make this submission to: (1) provide the Commission with property-specific evidence supporting the RLZ recommendation; (2) identify the most appropriate RLZ subcategory for my property; and (3) ensure the Commission does not revert to LCZ at the final determination stage.

RLZ Subcategory Reference Table

The RLZ has four subcategories with different minimum lot sizes. Under Zone Guideline RLZ 3, the appropriate subcategory must reflect the existing pattern and density of development within the rural living area or be supported by strategic justification. The table below summarises the options:

Subcategory	Min. lot size (acceptable solution)	Performance criteria	Typical use context
RLZ A	1 ha	8,000 m ²	Smaller rural lots with established residential settlement
RLZ B	2 ha	1.4 ha	Medium-sized rural residential lots, some subdivision potential
RLZ C	5 ha	4 ha	Larger rural residential lots, limited subdivision
RLZ D	10 ha	8 ha	Large lots, ELZ transition where no further subdivision intended

The subcategory We seek for my property is:

- Rural Living Zone D (minimum lot size 10 ha) — my lot is 10 ha or greater and no further subdivision is intended

Properties in Fehres Rd/Maddocks Rd/Jamiesons Rd locality typically range from 1 ha to 15 ha, many are currently zoned Environmental Living and which are proposed in the Irenelnc report to move to RLZ. Some farm land around the northern side of Doctors hill next to Maddocks Rd include much larger parcels or Rural land. Our property is 17 ha. This is consistent with RLZ D which has a minimum lot size of 10 ha. Applying RLZ D to my property would not allow further subdivision, reflecting the existing settlement pattern.

The RLZ recommendation is consistent with the Zone Guidelines

Zone Guideline RLZ 1(a) — residential character with rural activities

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 accurately describes my property.

My property contains a house constructed in 1985, with a cabin connected to a large garage/shed. There are some other small outbuildings including a woodshed and what has previously been used for housing chickens. The primary use is residential. There is also a fenced vegetable garden and a fenced pasture where animals have been kept in the past. This is precisely the mix of residential and lower-order rural activities described in RLZ 1(a).

Zone Guideline RLZ 2(b) — ELZ land with residential intention

Zone Guideline RLZ 2(b) 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, and a similar minimum allowable lot size is being applied. My property satisfies both elements: the primary intention is residential, and the RLZ subcategory we are seeking applies a minimum lot size that is consistent with or larger than the current lot size.

The primary strategic intention for my property has always been residential — it has been used as a residence since 1985. My property is 17 ha. The RLZ D minimum lot size of 10 ha is consistent with this existing lot size and does not create subdivision potential.

Zone Guideline RLZ 3 — subcategory selection

Zone Guideline RLZ 3 provides that the differentiation between RLZ A, B, C and D should reflect the existing pattern and density of development within the rural living area, or be supported by further strategic justification. My preferred subcategory — RLZ [D] — directly reflects the existing lot size pattern in my locality.

The Ireneinc Locality Report for Kingston near Maddocks Rd/Fehres Rd confirms that properties in this area are identified as having attributes which generally align with the RLZ as they are identified as relatively consistent settlement patterns with lots between 1-15ha that display consistent patterns of detached dwellings and associated buildings. Parcels in this area are noted in the report to be adjoining other land which is already proposed to be included within the RLZ. Properties in my immediate area have lot sizes of typically 1 ha to 15 ha. My property of 17 ha is consistent with this pattern, supporting the application of RLZ D.'

Property-specific evidence supporting RLZ

Established residential settlement

The Ireneinc framework identifies the following as indicators of rural living settlement characteristics: 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 display all of these characteristics.

My property is part of a cluster of 15 residential properties on and around Doctors Hill, around Fehres Rd, Jaimesons Rd and Maddocks Rd, each with lot sizes of approximately 1 ha to 17 ha. Each property contains a dwelling with associated outbuildings, and the area has been a settled rural residential community for many decades, in the case of our property since 1985.

The attached screenshot from thelist.tas.gov.au helps to illustrate the settlement pattern for the Maddocks Fehres and Jamiesons Roads, while also highlighting our proximity to the Spring Farm and Huntingfield subdivisions.



Landscape values can be managed within RLZ

Zone Guideline RLZ 4(b) provides that the RLZ should not be applied where land contains important landscape values identified for protection and conservation, unless those values can be appropriately managed through the application of the relevant codes. The TPC panel confirmed at Day 20 [02:33:54] that the Priority Vegetation Area (PVA) overlay and Scenic Protection Code (SPC) do the landscape-protection work in many cases, removing the need for LCZ. Any landscape values present on or near my property can be managed in this way.

Our property is within a Scenic Protection Area. The Natural Assets Code applies to native vegetation on my title. The combined effect of these overlay controls and the RLZ minimum lot size provides adequate management of any landscape values without the need for LCZ.

No further subdivision is intended or enabled

The Ireneinc framework and Zone Guidelines both flag the risk that RLZ could enable subdivision that would intensify development and affect landscape values. The RLZ subcategory we are seeking addresses this risk directly. Under RLZ D, the minimum lot size of 10 ha means that subdivision of my property would not be possible, consistent with the intent of Zone Guideline RLZ 2(b) which contemplates applying RLZ D (10 ha minimum) to prevent further subdivision where appropriate.

My property is 17 ha. Under RLZ D with a minimum lot size of 10 ha, no subdivision is possible.

The LCZ should not be reinstated

While we support the RLZ recommendation, we are concerned that the Commission may revert to LCZ rather than adopting Ireneinc's recommendation. We place the following matters on the record.

LCZ was historically over-applied and inconsistently justified

The Ireneinc LCZ Review documents that the TPC found Council's initial LCZ application was often inconsistent with the Zone Guidelines and with surrounding land. The exhibited LCZ for my property was part of a blanket application covering approximately 75% of ELZ parcels — an approach the TPC itself queried repeatedly. Ireneinc's recommendation to apply RLZ to my property is the product of a more rigorous, property-level analysis that should be preferred over the exhibited LCZ.

The Commission is not bound by the exhibited LCZ

Chair Nick Heath confirmed at Day 20 [06:45:48] that the Commission will decide on section 34 LUPAA criteria and is not bound by Council's exhibited position or by Council's 16 March 2026 resolution favouring the 'least restrictive alternative'. The Commission is therefore free to adopt the RLZ recommendation, and we urge it to do so.

The evaluation framework is not a statutory instrument

Kate Heckelmann (Ireneinc) confirmed at Day 20 [05:53:00] that the evaluation framework is a tool, not a statutory instrument. The Commission may adopt, modify, or depart from Ireneinc's recommendations as it sees fit under section 34 LUPAA — but where Ireneinc's analysis supports RLZ and is consistent with the Zone Guidelines, as here, the Commission should adopt it.

Conclusion

For the reasons set out above, we submit that:

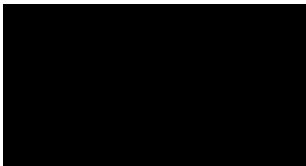
1. The Ireneinc recommendation to include my property within the RLZ is correct and is consistent with the Zone Guidelines (Guideline No. 1) and the requirements of section 34 of LUPAA.
2. The exhibited LCZ was not appropriate for my property and should not be reinstated. The RLZ recommendation reflects a more rigorous analysis and should be adopted.
3. The most appropriate RLZ subcategory for my property is RLZ D, which reflects the existing pattern and density of development in my locality under Zone Guideline RLZ 3, and significantly constrains 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.

We respectfully request that the Commission:

- Adopt the Ireneinc recommendation and include my property within the RLZ D in the Kingborough Local Provisions Schedule; and
- Not revert to the exhibited LCZ, which is not supported by the site-specific evidence for my property.

We request that the folio of the Register 42995/1 at [REDACTED] Kingston, be included within the Rural Living Zone D in the Kingborough Local Provisions Schedule, consistent with the Ireneinc recommendation.

Kind regards,

Signed:  Full name: Matthew Ingvald Dewey	Date: 04/05/2026 Contact email: [REDACTED]
Signed:  Full name: Kelly Anne Dewey	Date: 04/05/2026 Contact email: [REDACTED]

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