
From: Craig Neill [REDACTED]
Sent: Monday, 4 May 2026 7:11 PM
To: Kingborough LPS
Subject: Submission for title [REDACTED]
Attachments: TPC submission for [REDACTED] - Allens Rivulet.pdf

Good evening,

Please find attached our submission in response to the Ireneinc report for our home at [REDACTED], Allens Rivulet. Title [REDACTED].

Regards, Craig Neill and Kelly Brown
[REDACTED]

TASMANIAN PLANNING COMMISSION

Kingborough Local Provisions Schedule — Direction 69 / Ireneinc Report

To the Tasmanian Planning Commission,

PLEASE NOTE: In addition to our individual submission herein, we are also a signatory to a collective submission on the ALLENS RIVULET/NIERINNA CORRIDOR.

We write in response to the letter dated 2 April 2026 (ref: DOC/26/36829) advising that the Ireneinc report recommends our 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.

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 us 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)	Craig Neill and Kelly Brown
Property address	██████████
Title reference (folio)	██████
Lot size (approx.)	10 hectares
Locality	Allens Rivulet
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Rural Zone (RZ)
Zone sought in this submission	Rural Living Zone D (RLZ-D)

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

However, we do not consider the Rural Zone (RZ) to be the most appropriate zoning. We submit that the Rural Living Zone (RLZ) better reflects the existing use, settlement character, and residential intention of our 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).

We request that the Commission determine that the RLZ is the appropriate zone for our property under the draft Kingborough LPS. The specific RLZ subcategory we seek is Rural Living Zone D, which is intended for lots ranging from 10 to 20 hectares in size. With our property size equal to the minimum lot size, subdivision will be impossible, which we support.

The RZ does not give priority to residential amenity and treats dwellings as a discretionary use that must demonstrate compatibility with surrounding rural activities. When we purchased the property in 2019 it was zoned Environmental Living, which was designed for and ensures the rights for residential use. The purpose of the Rural Zone, proposed by the Ireneinc report for our property, (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. While our property is rural in setting, its primary existing and intended use is residential. The house has been a primary residence since it was built and there has been no commercial farming or other industry since the area was

subdivided. All of the blocks on [REDACTED] were subdivided from a single farm with a clear intention of residential development, which is what happened. Our home, built in 2009, was one of the last of the blocks to be built on. The pasture part of the property, which is only about 2 of the 10 hectares, was divided into 4 small paddocks with hobby farming in mind. The paddocks are too small and the soil too poor on the sloped property for commercial agriculture.

In contrast to RZ, the zone Guideline for the Rural Living Zone (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 our 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. The subdivision of [REDACTED] marked a turning point with this area transitioning from agricultural to residential use. Every other property on [REDACTED] is proposed for RLZ zoning. Our block is the largest, which means RLZ-D is appropriate. Our block size of 10 hectares is equal to the *minimum* size for subzone D.

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. Our property and the whole development on [REDACTED] satisfy these indicators supporting RLZ zoning.

For the reasons set out above, we submit that:

1. While we welcome the Ireneinc recommendation to move away from the LCZ, the RZ does not adequately recognise the established residential character of our property.
2. Our 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 our property is RLZ D, 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.

We respectfully request that the Commission determine that the draft Kingborough LPS should be modified to include our property within the RLZ zone D.

Signed: Craig Neill	Kelly Brown
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