
From: Chiara Danese <[REDACTED]>

Sent: Monday, 27 April 2026 10:31 AM

To: Kingborough LPS

Subject: CM: Submission_LCZ zoning [REDACTED]

Attachments: Submission_TPS_Chiara Danese & Brett Dennis [REDACTED]
Kingston.pdf

Dear Linda,

Please find attached our submission in response to the letter sent to me by TPS dated 2 April 2026 (ref: DOC/26/36829).

Regards,

Chiara Danese & Brett Charles Dennis

[REDACTED] Kingston 7050 Tasmania

[REDACTED]

24 April 2026

WRITTEN SUBMISSION TO THE

TASMANIAN PLANNING COMMISSION

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

I did not make a formal representation during the public exhibition period. I understand this letter will ensure I have a fair opportunity to participate and be heard. I take up that opportunity and submit as follows.

PROPERTY DETAILS

Landowner name(s)	Chiara Danese Galano & Brett Charles Dennis
Title reference	██████████
Property address	██████████, Kingston
Lot size (approx.)	2.54ha
Locality	Kingston
Current IPS zone	<i>Environmental Living Zone (ELZ)</i>
DRAFT LPS exhibited zone	<i>Landscape Conservation Zone (LCZ)</i>
Ireneinc recommended zone	<i>Rural Living Zone (RLZ)</i>
Position in the submission	Accept RLZ

STATEMENT OF POSITION

We welcome and support the Ireneinc recommendation that our 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

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 I seek for my property is:

- Rural Living Zone B (minimum lot size 2 ha)—the existing lot pattern in my locality is consistent with lots of approximately 2–5 ha

Properties in [REDACTED] and [REDACTED] (off [REDACTED]) typically range from the smallest [REDACTED] being 0.4ha, to around 2.5ha. Our property is 2.54ha. This is consistent with RLZ B which has a minimum lot size of 2 ha.

SUPPORTING EVIDENCE AND ARGUMENTS

The RLZ recommendation is consistent with the Zone Guidelines

Zone Guideline RLZ 1 — 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 because:

- Our property contains a dwelling with no garage and no shed. The primary and only use has always been residential.
- It has a 0.2ha cleared area with very few trees.
- The main bushland area is dominated by weeds (willows, hawthorn, gorse).
- In our paddocks, we have hobby animals – chickens, fowls, geese and ducks.
- We grow vegetables and fruit trees on the block.

This is precisely the mix of residential and lower order rural activities described in RLZ 1(a).

Zone Guideline RLZ 2 —ELZ land with residential intention.

Zone Guideline RLZ 2(b) confirms that the RLZ should 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 I am seeking (B) 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. My property is 2.54 ha. The RLZ (b) minimum lot size of 2 ha is consistent with this existing lot size and does not create subdivision potential.

Property-specific evidence supporting RLZ

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.

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 [B] — directly reflects the existing lot size pattern in my locality grouping.

The Ireneinc Locality Report for Albion Heights and Bonnet Hill confirms the settlement pattern is “recognisably sparse and dispersed and is generally characterised by large lot sizes and a low overall development density. The subdivision pattern reflects a semi-rural residential character, with dwellings typically situated on expansive land parcels ranging in size from typically 2-5ha. There are also some larger 10—25ha parcels distributed throughout the locality. Along the southern fringe of the locality there are groupings of lots which typically range from 0.35ha to 2ha. Land use within the area is consistently residential, with detached dwellings set within heavily vegetated lots”.

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.

Our property is part of a cluster of 11 -12 properties on the southern end of [REDACTED] [REDACTED] (including the properties on the corner of [REDACTED] and [REDACTED]). Interestingly:

- our neighbours at [REDACTED] (1.03ha), have already been proposed as Rural Living Zone.
- our neighbours at [REDACTED] (0.40ha), [REDACTED] (2.10ha), [REDACTED] (2.12ha), [REDACTED] (1.99ha) are **already zoned Rural Living Zone and proposed to remain so.**
- The property directly across from us at [REDACTED] is **already zone Rural Living Zone and is proposed to remain so.**
- our neighbours at [REDACTED] are **already zoned Rural Living Zone**, but are proposed to move to Landscape Conservation Zone. They have provided a representation against this, and have confirmed they will be putting in a submission to remain Rural Living Zone.
- The property owners of [REDACTED], as well as ourselves at [REDACTED], are opposing the Landscape Conservation Zone.

198.57 – [REDACTED] Rep opposes to the proposed LCZ but requested that their property change to the Rural Living Zone

198.333 – [REDACTED] Rep opposes to the proposed LCZ but requested that their property change to the Rural Living Zone

198.170 – [REDACTED] Rep opposes to the proposed LCZ

198.518 – [REDACTED] Rep opposes to the proposed LCZ

198.554 – [REDACTED] Rep opposes to the proposed LCZ

198.665 – [REDACTED] Rep opposes to the proposed LCZ

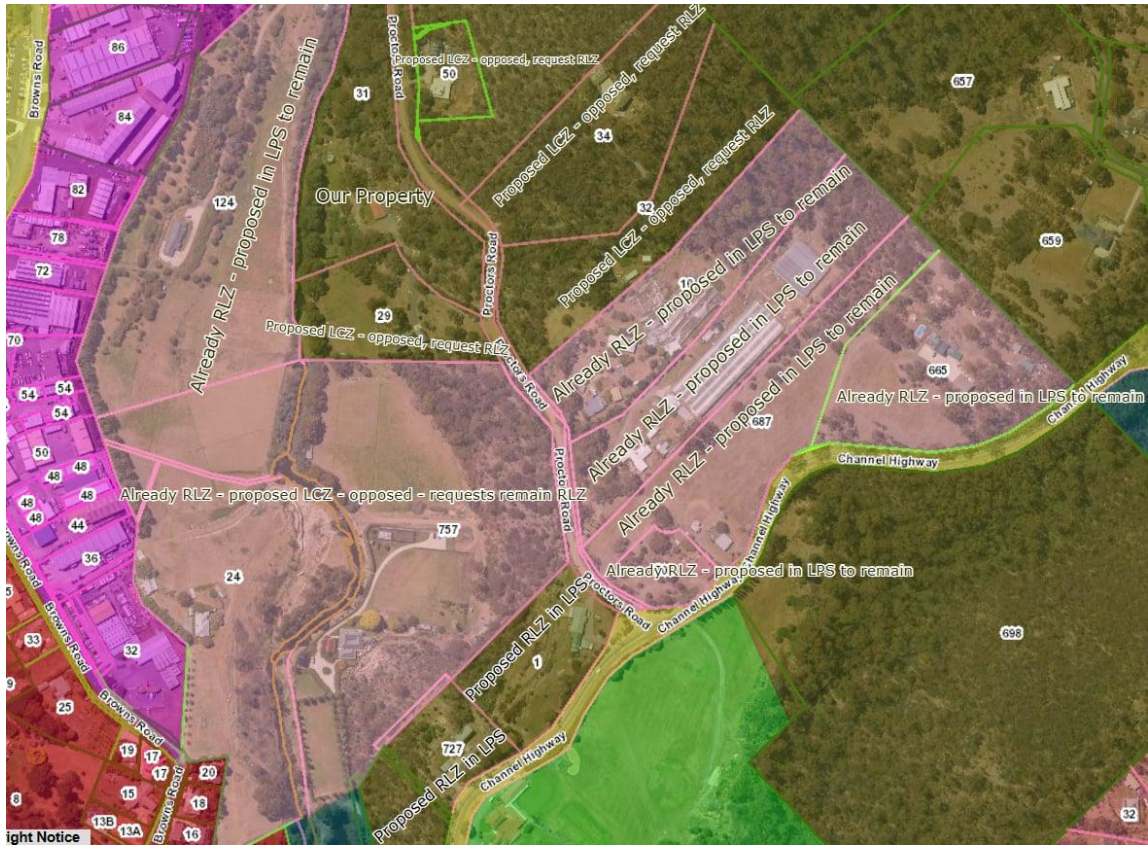
[REDACTED] Bonnet Hill) - oppose the LCZ as this have serious consequence for fire protection and future alterations with the flow on value reduction. Land is primarily paddock. Rep suggest the Rural Living Zone as the more appropriate.

294, 295 and 363 – [REDACTED] Kingston) – Rep opposes the LCZ as the property's principal use is residential and LCZ impose restrictive limitations. Requested that Rural Living is more appropriate.

420 [REDACTED] Bonnet Hill) - Opposes the rezoning of their property to the LCZ, citing severe negative impacts on property value, residential utility, and the ability to secure finance and insurance.

430.56 – [REDACTED] Kingston TAS 7050) The representer requested the zone to be changed as Rural Living Zone

(excerpt from Ireneinc Report).



(excerpt from The List)

All the properties in this cluster contain residences and associated outbuildings. The area has been a settled rural residential community for decades.

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 that landscape values present on or near my property can be managed through the Natural Assets Overlay and Code.

Our property is not within a current Scenic Protection Area (there are no scenic views or elevated view points), or the Priority Vegetation Code area. This is a clear indication that there are no identified / no evidence of “landscape values” on our property.

The section of our title which borders Brown’s River is protected by the Waterway and Coastal Protection Area Overlay. The Biodiversity Protection Area Overlay also applies to our title. Under the TPS, I understand these codes are replaced by the Natural Assets Code. The combined effect of these overlay controls and the RLZ minimum lot size provides adequate protection and 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 I am seeking addresses this risk directly. Under RLZ (b), the minimum lot size of 2 ha means that subdivision of my property would not be impossible.

The LCZ should not be reinstated

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

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 I 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.

LOCALITY- SPECIFIC CONTEXT

Our property is within the Kingston and Bushland Surrounds Locality, specifically the Albion Heights and Bonnet Hill locality.

Our understanding is that the LCZ zoning is intended for land with significant natural values, including high-quality native vegetation, threatened species habitat, or visually prominent landscapes requiring protection. The Ireneinc report concludes that our property does not meet these criteria. The land is already modified and does not possess the environmental attributes that would justify a LCZ designation.

Retaining the Rural Living Zone ensures that zoning reflects the true environmental condition of the land rather than imposing unnecessary restrictions that are not supported by the evidence.

The land and the riparian strip not just of our property but also the neighbouring ones are extremely degraded, vegetation is fragmented and infested with weeds of national significance, the water quality of the river is severely compromised, with no existing continuous native habitat or landscape-scale ecological function. The property is not visually prominent, nor does it contribute to a scenic landscape requiring protection. To the contrary its value is limited by the surrounding industrial activity.

The land does not form part of a large, intact natural area, which is a key criterion for LCZ application. These characteristics align directly with the Rural Living Zone purpose, which anticipates low-density residential use on modified rural land.

Our property sits immediately south of the active Firthside industrial area, positioned on the downslope below the industrial precinct with buildings, lighting and machinery clearly visible from the house and noise impacting the site both day and night.

For these abovementioned reasons our property has never formed part of a conservation estate nor exhibited the environmental characteristics required for LCZ. The visual, acoustic and light-spill disturbances demonstrate that the surrounding environment is already significantly modified and wholly inconsistent with the qualities required for LCZ which would impose strict conditions on our property but allow the light industrial zone to keep operating with the same visual and noise impacts.

The Ireneinc recommendation for this locality is Rural Living as the areas has attributes that directly align with the rural living settlement and are located either within proximity to other land within the RLZ or between land for which higher intensity residential uses exist on either side (for example, low density residential in some areas of Bonnet Hill and general residential in [REDACTED]). As mentioned above, the many of the surrounding properties in my cluster are either already RLZ or proposed to be. My property is consistent with these and should be treated the same.

- The locality is semi-rural residential in character with evidence of low-order rural activities throughout.
- There is a known strategic intention for residential use
- The landscape values in this locality could be sufficiently managed with a RLZ through the application of the Codes and minimum lot size for subdivision

I understand that no concerns were raised at the hearing for my locality (apart from the low density residential zoning (LDRZ) pocket for lots to the west of Bonnet Hill), however this does not indicate acceptance by the Commission. I reiterate that my property, and

locality in general, has the characteristics consistent with RLZ and should be zoned as such.

CONCLUSION AND RELIEF SOUGHT

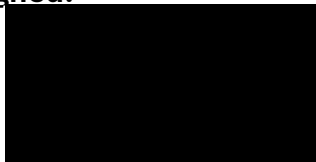
For the reasons set out above, I submit that:

- (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 (b), 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.

I respectfully request that the Commission:

- Adopt the Ireneinc recommendation and include my property – [REDACTED], Kingston (CT [REDACTED]) - within the RLZ 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.

Signed:



Full name: Chiara Danese Galano on
behalf of myself and Brett Charles
Dennis

Date: 24/04/2026

Ph [REDACTED]

