
From: Tess Egan <[REDACTED]>
Sent: Monday, 20 April 2026 2:49 PM
To: TPC Enquiry
Cc: cracked_plate
Subject: CM: Submission — Kingborough LPS Direction 69 — [REDACTED] Kettering
Attachments: TPC Submission - Egan Lamb - [REDACTED] Kettering.pdf

Title reference (folio): 40466/1

To the Tasmanian Planning Commission,

I write in response to the letter we received dated 2 April 2026 (ref: DOC/26/36829) advising that the Ireneinc report recommends our 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 previously made a representation on the draft LPS. I understand that my representation has not yet been heard and may be heard at a future hearing. I understand that this letter provides me the opportunity to make a further written submission in relation to the Ireneinc recommendations, and that I may speak to this submission before the Commission should that opportunity occur.

I submit as attached.

Regards,

Therese Egan
Matthew Lamb
[REDACTED] KETTERING

Submission to the Tasmanian Planning Commission

Kingborough Local Provisions Schedule — Direction 69 / Ireneinc Report

20/04/2026

To the Tasmanian Planning Commission,

I write in response to the letter I received dated 2 April 2026 (ref: DOC/26/36829) advising that the Ireneinc report recommends our 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 previously made a representation on the draft LPS. I understand that my representation has not yet been heard and may be heard at a future hearing. I understand that this letter provides me the opportunity to make a further written submission in relation to the Ireneinc recommendations, and that I may speak to this submission before the Commission should that opportunity occur. I submit as follows:

PART B — PROPERTY DETAILS

Landowner name(s)	Therese Egan / Matthew Lamb
Property address	██████████
Title reference (folio)	██████████
Lot size (approx.)	23,185 m ² / 5.7 acres / 2.3 hectares
Locality	Kettering East & Oyster Cove
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Rural Living Zone (RLZ)
Position in this submission	We formally support and endorse the assessment by Ireneinc that our property be zoned as Rural Living Zone (RLZ). This position aligns with Representation 197 and 198 submitted by Caleb and Nathanael Elcock, and the support letter signed by us (Ref 20250909-TPC-WSR1) the landholders, which was subsequently submitted by these representers as requested by the TPC under Directions 51 and 52. This is cited in the Ireneinc report on page 272 “Rep198.18 ██████████. Rep opposes the proposed Landscape Conservation zone (22.0) and request the Rural Living Zone (11.0) for their respective properties.” We consider that the most appropriate RLZ subcategory for our property is RLZ B which reflects the existing pattern and density of development in my locality under Zone Guideline RLZ 3, and constrains further subdivision.

STATEMENT OF POSITION

We, the landholders, welcome and support the Ireneinc recommendation that our property be included within the **Rural Living Zone (RLZ)** under the draft Kingborough LPS. The RLZ is a significantly more appropriate zone for our property than the exhibited LCZ.

I 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 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 in surrounding area.

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.

Our property contains a house constructed in 1986 with a shed and outbuildings. The primary use is residential. We also have a small orchard, large vegetable garden, bees and chickens, and rely on rainwater tanks for water and septic system for waste disposal services. We consider our activities on our land to be a hobby farm and our dwelling is recessive, blending into the surrounding bushland. We maintain rural fences and gates on our property. 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 I am seeking applies a minimum lot size that is consistent with or larger than the current lot size.

The primary strategic intention for our property has always been residential, and it has been used as a residence since being built in 1986. Our property is 2.3 hectares. The RLZ minimum lot size of 2 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 B**—reflects the existing lot size pattern in my locality.

The Ireneinc Locality Report for Kettering East & Oyster Cove (page 264) confirms:-

- Oyster cove has an existing residential settlement pattern lots generally ranging between 2–5 ha with residential development is dispersed and low density, with generous lot sizes and dwellings generally set within native vegetation.

Out of 160 properties in the Oyster Cove area, the average is 2.12 hectares.

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.

Our property and the surrounding settlement display all of these characteristics.

It is part of a cluster of 14 properties along middle [REDACTED] with an average of 2.1 hectares (ranging from 0.5 to 3.8). Each property contains a dwelling with associated outbuildings and the area has been a settled rural residential community since at least 1967.

Recommendation 3.5.2.2 of the Ireneinc Report (page 281):

“In considering the evaluation framework and the resulting pattern of zoning, previous modifications directed by the TPC, the full extent of this locality transition from the ELZ to the RLZ as the area had has attributes which 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.”

Decision point 4 on page 278 of the Ireneinc Report it states that this area has the characteristics of rural living settlement.

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.

My property is not directly within a Scenic Protection Area. A SPC applies in the broader locality area. The Proposed Code Overlays (TPS) Natural Assets Code [C7.0 Priority Vegetation](#) would apply to native vegetation on my title. 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 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 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.

We are comfortable with the inability to further subdivide.

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.

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 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

Locality name: **Kettering East and Oyster Cove**
Ireneinc recommendation for this locality: **RLZ**

TPC panel comments specific to this locality:

At timestamp [02:10:31- 02:10:44] the Ireneinc report recommended RLZ for Kettering East and Oyster Cove locality noting in discussion the significant number of landholders that opposed the application of the landscape conservation zone to their properties and that landscape values are manageable by Codes. No questions were asked about this at the hearing, though this does not indicate acceptance by the Commission, it supports the application of RLZ to my property.

Existing zoning of surrounding properties:

My property adjoins existing properties zoned Environmental Living (KIPS2015) under the Kingborough Interim Planning Scheme to the north, south, east and west.

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 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 within the RLZ B 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.

I request that the folio of the Register tile reference [REDACTED] at [REDACTED] Kettering, locality Kettering East and Oyster Cove, be included within the Rural Living Zone B in the Kingborough Local Provisions Schedule consistent with the Ireneinc recommendation.

Signed:  Therese Egan Matthew Lamb	Date: 20/04/26 _____ Contact email / phone: 
---	---

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