
From: 6018Ralph McCloy <[REDACTED]>
Sent: Monday, 27 April 2026 9:57 AM
To: Kingborough LPS
Subject: CM: Submission for [REDACTED] Kettering Title ([REDACTED])
Attachments: TPC Representation [REDACTED].docx; TPC Submission Covering Letter.jpeg

Tasmanian Planning Commission
Attn: Nick Heath

Dear Mr Heath,

Please find attached a submission covering letter for our property [REDACTED] and our neighbours, Stewart and Leonie Ims, [REDACTED] Kettering. We request that our properties be zoned Rural Living in their entirety.

Also find attached our individual submission for [REDACTED] Kettering.

Could you please confirm receipt of both attachments.

Yours sincerely,

Ralph and Anna McCloy

Mobile: [REDACTED]

26 April 2026

Tasmanian Planning Commission
Attn: Nick Heath

In response to your letters dated 2 April 2026, we the undersigned are making a formal submission in relation to the proposed RLZ/LCZ split zoning of our properties at [REDACTED] [REDACTED] Kettering.

Title:	Address:	Owner:	Signature:	Date:
[REDACTED]	[REDACTED]	Ralph McCloy	[REDACTED]	26/4/26
[REDACTED]	[REDACTED]	Anna McCloy	[REDACTED]	26/4/26
[REDACTED]	[REDACTED] Kettering	Stewart Ims	[REDACTED]	26/4/26
[REDACTED]	[REDACTED] Kettering	Leonie Ims	[REDACTED]	26/4/26

We are requesting that our properties be zoned Rural Living C in their entirety.

What we have in common:

- Our hobby farms are both larger parcels of land 10.88 and 15.68 hectares respectively.
- They comprise a residence, outbuildings, paddocks, dams, etc.
- They are long-established properties which form part of the [REDACTED] settlement.
- Properties opposite us and on our western and eastern boundaries are all proposed RLZ. Ours are the two exceptions.
- We both run sheep in our established paddocks.
- The landscape of our properties is a mixture of pasture and bush. Both are protected by the current overlays: Biodiversity, Scenic Landscapes and Waterway and Coastal Protection codes; and the proposed Priority Vegetation and Scenic Protection Area codes. The Waterway and Coastal Protection Code is to remain in place.

We request that the Draft Kingborough LPS be modified to include our properties as RLZ C in line with neighbouring properties on [REDACTED]

We also request that the characteristics which our properties have in common be taken into consideration when assessing our individual submissions.

Yours sincerely,

Ralph McCloy
Anna McCloy
Stewart Ims
Leonie Ims

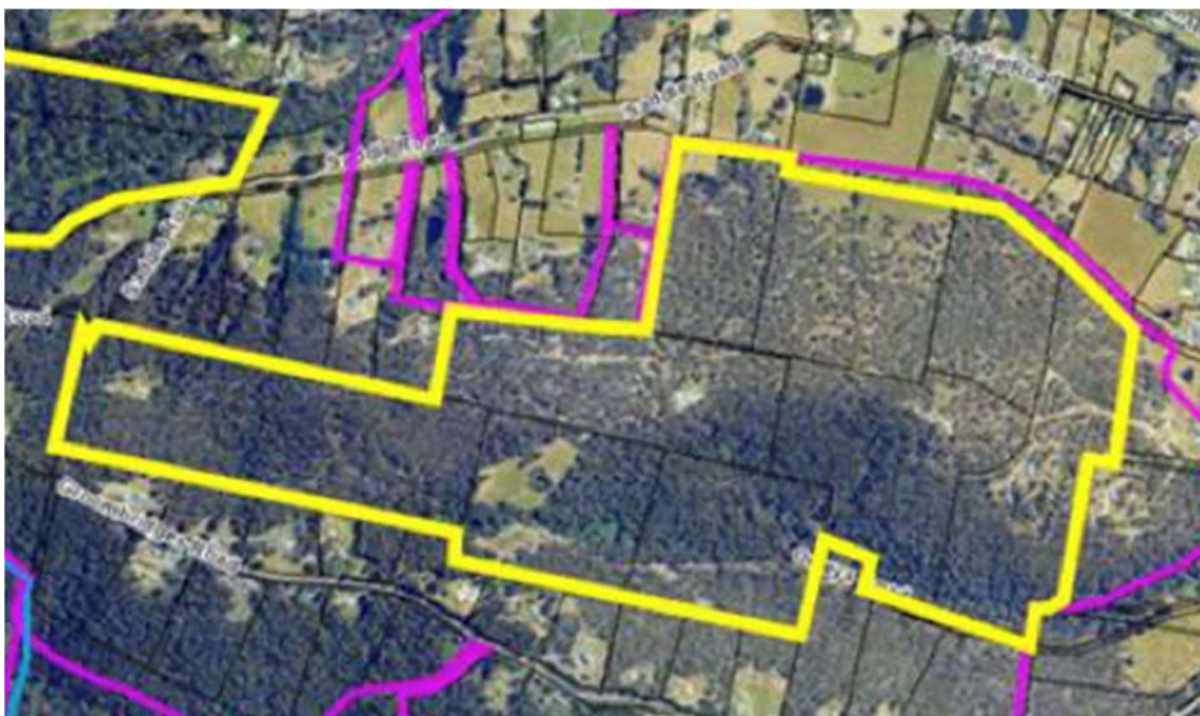
Submission for [REDACTED], Kettering (Property ID [REDACTED] and Title [REDACTED])
Owners: Ralph and Anna McCloy

On the basis of procedural fairness, we request that our property located at [REDACTED], Kettering be zoned Rural Living C in its entirety. Our 10.88-hectare property has been run as a hobby farm for the past 16 years by us and the previous owner. Prior to that it was a commercial bulb farm and orchard. We have called this property home for nearly 9 years and we run a small flock of our own sheep as well as overseeing a stud breeder's flock in the breeding and lambing season – an arrangement that has existed for a number of years.

Our property at [REDACTED] and our neighbours the Ims' property at [REDACTED] have been split-zoned on both the Draft LPS and the Ireneinc report. Our properties, which are both long-established rural living properties, are faced with having two thirds of their land areas zoned Landscape Conservation. The two thirds portion of our properties has been included in the elevated yellow block area between [REDACTED] and [REDACTED] along with six other properties.



Our property [REDACTED] on the left and the Ims' property [REDACTED] on the right, showing the application of LCZ to two thirds of our properties.



Our property [REDACTED] and [REDACTED] are located on the top left-hand side of the yellow block area above. [REDACTED] at the top of the aerial photo and [REDACTED] runs across the bottom.

Lack of Consultation

Although we have now been granted the opportunity to make a written submission, at no time, were we informed or consulted about the proposed zone changes to our property. We only learned of the proposed zone changes from our neighbour after the cut-off date for the original submissions. We received no formal notification from the Kingborough Council via phone, email, letter (to owner) or letterbox drop. We do not subscribe to the local papers and only on occasion get a copy of the Kingborough Chronicle or The Kingston Classifieds. Most concerning is the fact that this lack of knowledge regarding the proposed zone changes was widespread throughout the Kingborough municipality given that the Council went “above and beyond” in their efforts to communicate with property owners. It was interesting to read Councillor Kaspar Deane’s Facebook post, albeit in hindsight, that he was on a mission to notify 10,000 households about changes to Kingborough Council’s planning scheme because “I’ve come across too many people who aren’t aware this is happening and the deadline for feedback is fast approaching (Dec 9).” The post was made on 13 November 2024 only several weeks prior to the deadline.

Given the extent to which the proposed LCZ has been applied to our property (two thirds) and the manner in which it has been applied (see further details later), no councillor or planner visited our property to get the “lie of the land” or to consult with us. When we finally received a return call from Adriaan Stander on 8 October 2025, we explained the issues concerning the proposed LCZ for our property (top paddock, dams, etc). He looked at the map and agreed that there was an issue with the proposed zone’s application to both our property and our neighbours the Ims’ property on our eastern boundary. Adriaan

Stander said that if we presented our cases to the TPC, that the latter had made some changes to zones because of the concerns people had. Obviously, neither of us could do this because we had missed the cut-off date.

We received the letter to landowners from CEO Dave Stewart dated 5 November, 2025. It stated: "The Planning Commission has requested that Council re-examine all properties nominated for inclusion in the LCZ. To support this review, Council will engage an independent planning consultant to lead this process with inputs from Council staff." Despite our conversation with Adriaan Stander and emails we sent to the Kingborough Council CEO and the Planning Minister, amongst others, detailing the impact of the proposed LCZ on our property, again we were not consulted nor a site visit made to our property or our neighbours. Our property was split zoned on the Draft LPS and remains the same on the Ireneinc report map. Our understanding is that the Ireneinc report was largely desk-topped and that there was in part reliance on realestate.com. Photographs from the latter do not show our top paddock and dams for example. Clearly, Google Earth was not used as this offers a very clear shot of our top paddock.

Unfair Proposed Zoning of our Property

There are very few of the original properties of our land size remaining in the area and we have been unfairly penalised for having a larger property size. Both our property (10.88 hectares) and the Ims' property on our eastern boundary (15.68 hectares) have had the proposed LCZ applied to two thirds of the land. This leaves just one third of our established rural properties proposed Rural Living C – approximately 3.63 hectares and 5.23 hectares respectively, which seriously impacts current land usage. This means that proportionally our land usage area (RLZ portion) will be smaller than a number of other lot sizes in the locality that have been fully zoned Rural Living but which are significantly smaller than our overall lot size.

Our properties form part of the [REDACTED] community in west Kettering. Both our properties have their frontages on and direct access to the southern side of [REDACTED]. The properties on the opposite side of [REDACTED] to us have been proposed RLZ. The properties on our western boundary – [REDACTED] – have been proposed RLZ. The properties on the eastern boundary of the Ims' property – [REDACTED] – have also been proposed RLZ. Properties 161 and 165 are adjacent to the proposed LCZ portion of our property; yet, as stated are proposed RLZ. In fact, over 30 properties stretching from [REDACTED] with only a couple of exceptions have been proposed RLZ in their entirety both in the Draft LPS and the Ireneinc report. This includes several that are currently zoned Environmental Living. As our properties form part of the [REDACTED] settlement, they should also be zoned Rural Living in their entirety.

Surely Section 8A (LPS Zone and Code Application Guideline No.1) which states that the purpose of the Rural Living Zone is:

"To provide for residential use or development in a rural setting where:

- (a) services are limited; or
- (b) existing natural and landscape values are to be retained"

is the appropriate zone choice for our properties, particularly with the current and proposed overlays (Scenic Protection Area and Priority Vegetation codes) in place.



██████████ on the bottom right-hand side of the map with surrounding properties proposed RLZ in their entirety.

Landscape Values Protected by Current and Proposed Overlays

Like many areas of the Kingborough municipality, Kettering and its surrounds is a beautiful area. However, what determines “scenic” or of “landscape value” is not clear cut and is open to interpretation. It is unfair to judge one property as more scenic than another to the detriment of the owner with the imposition of the proposed LCZ. In both ours and the Ims’ cases this is to the tune of two thirds of our properties.

Due to tall tree canopies on other properties, our properties are only visible to a small number of residences in elevated positions on the Channel Highway and on Oyster Cove Point. They are not visible from the Kettering township or Little Oyster Cove. Our properties are only clearly visible from their ██████████ frontages to other local residences in our immediate area. As both our properties have the proposed Scenic Protection Area and Priority Vegetation codes (similar codes are currently in place), we are not able to clear bush or fell trees without the necessary approvals. Hence, these codes should be sufficient to protect the landscape values.

The application of LCZ to our properties is unfair as there are other properties in both our immediate and local area that exhibit the same characteristics in terms of vegetation, elevation and ridge line position that have been proposed RLZ. Our properties have views of Oyster Cove Point. There is a predominance of bushland covering this entire headland and a

ridge line of similar elevation to ours. All properties along this stretch of [REDACTED] and the Oyster Cove Point ridge line were proposed LCZ in the Draft LPS but in the Ireneinc report they were proposed RLZ as they should be. The TPC has accepted the full transition of Kettering east and Oyster Cove to RLZ (LPS Hearing Day 2, 15 April 26) therefore our properties which have the same vegetation and elevation should be similarly zoned Rural Living in the interests of procedural fairness.



View of Oyster Cove Point from 125 Saddle Road.

The Ireneinc report proposed that properties along [REDACTED] to the south of our properties be zoned Rural Living as opposed to Landscape Conservation in the Draft LPS. The TPC has accepted this zone change (LPS Hearing Day 2, 15 April 26). However, our LCZ portions of [REDACTED], [REDACTED] have transitioned from Environmental Living to LCZ. Our properties are now completely encircled by properties which are all either proposed or confirmed RLZ. All of our properties have the same overlays ie the Scenic Protection Area and the Priority Vegetation codes and given the protections that these afford, we too should be zoned Rural Living.

Further to this, in its evaluation of the management of landscape values outside of LCZ for west Kettering, the Ireneinc report (P.295) states that the Scenic Protection and Priority Vegetation codes “could be used to manage landscape values.” The likelihood of a compromise of these values is rated as low to medium. We suggest that the risk is low as during our time on our property (nearly 9 years), there has been no change to the landscape (pasture, bush, etc) of our property or our neighbours’ property.

The supposed application of the LCZ and the inherent “scenic values” is viewed as being for the greater good but it is at the expense of the actual landowner. Our properties are our residences and they are a reflection of our lifestyles whether it be farmland, orchards, country gardens, etc. We consider these are no less scenic than the LCZ landscape values applied to bushland.

Application of Proposed LCZ to our Property

Historically, our property was zoned rural and has been used as a commercial enterprise for both orchard production and bulb farming; and as a hobby farm running sheep. Hence, the present-day paddocks and dams have been established and utilised for decades.

The proposed LCZ begins where the original tramway bisected both ours and our neighbours' property and covers the top two thirds of our property. Its application has not taken into consideration established structures and land usage that have existed in some cases for decades and which would be included in the proposed LCZ.

The structures impacted are as follows:

- Two water tanks, utilised for firefighting, our orchard and vegetables, which are located where the original tramway was.
- Two dams which are located further to the south of the property.
- Two bush tracks which enable access to the two dams, access to boundary fences for maintenance and repairs and access to bushland for firefighting purposes.
- The cement slab for a replacement garden shed located on the original tramway.
- Our garden pond which is part of our water catchment system – water is channelled into a dam in our front paddock.
- A large part of our fully-fenced extensive home garden which is part of our residential area.
- Several outbuildings – a greenhouse and tool shed which have been in situ since the 1980s.
- Our large top paddock, which has been in existence for 40 plus years, previously used for bulb farming and now for sheep grazing in the off-season.
- Our boundary fencing for two thirds of our property.

Future Plans for our Top Paddock and Dams

Future plans for our top paddock and two dams include:

- Development of Suffolk lamb breeding program.
- Replacement fencing for the top paddock.
- A small, one-stand shearing shed in the top paddock.
- A small holding yard in the top paddock.
- A small animal shelter in the top paddock.
- The upgrading of the two top dams with irrigation pipes running to the top paddock.

All of the above have currently been put on hold because if the LCZ is imposed then they will be included in this zone.

LCZ Impact on our Property

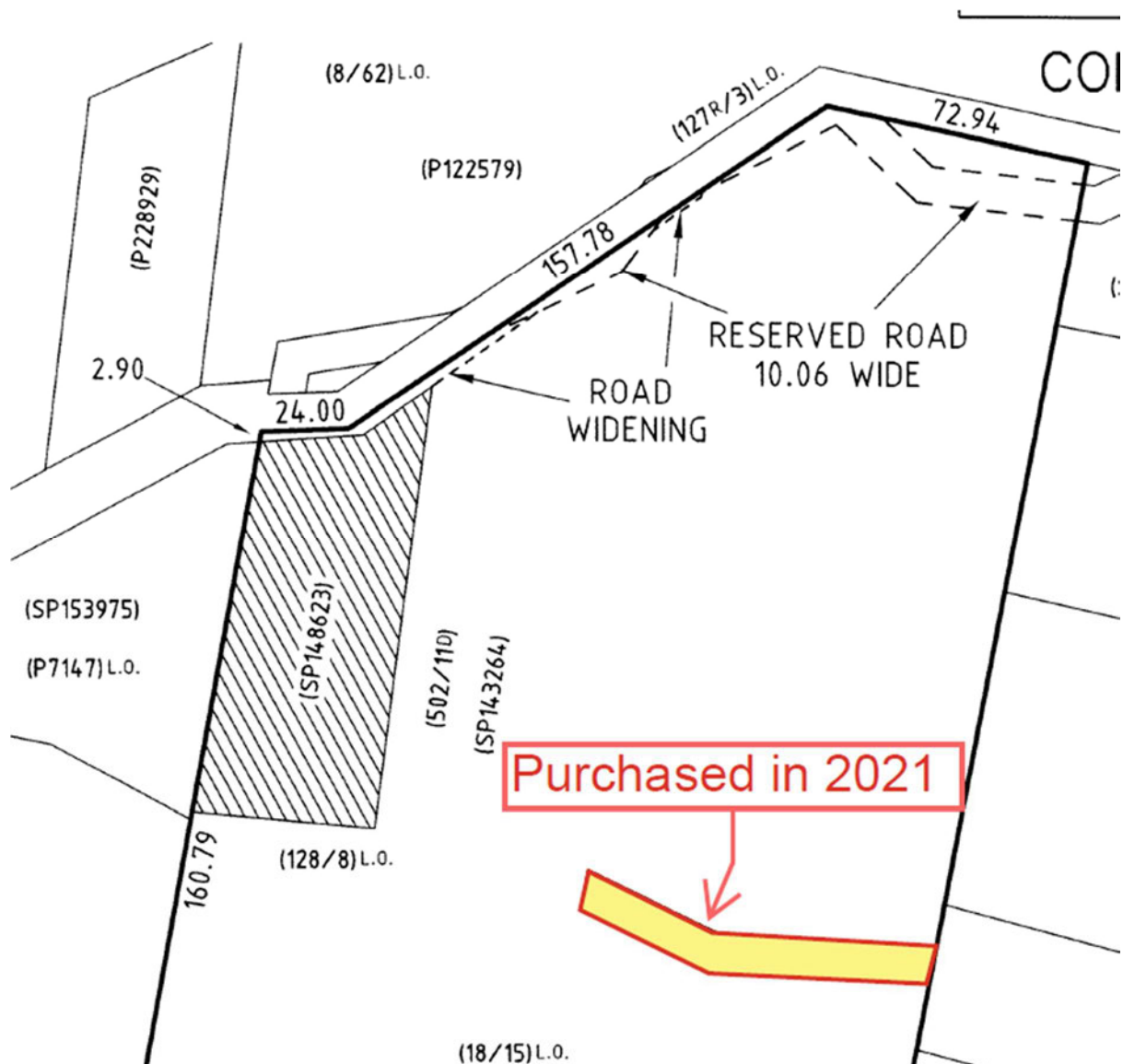
Given the restrictions imposed on our property by the proposed LCZ, we face a number of serious obstacles. We are:

- Unable to clear undergrowth close to our residential area (to the rear of house) as a fire buffer and around two tanks for firefighting. Throughout the proposed LCZ area there is a predominance of “sagg” which is highly flammable.
- Unable to have top dams cleared of silt, rushes and weeds for water usage (both irrigation and firefighting).
- Unable to maintain bush tracks for firefighting, machinery access to dams and access to boundary fencing.
- Unable to replace garden shed.
- Unable to maintain garden pond as part of our water catchment system.
- Unable to control weeds (scotch thistles and blackberry) in our home garden, paddocks and bushland. When we purchased our property, we spent over 18 months removing by hand thousands of scotch thistles and uncontrolled blackberry. This is an ongoing practice and this new regulation of no weeding in the LCZ designated area means that our paddocks and the bush will be impacted once again.
- Unable to run sheep in our top paddock. This paddock is essential for sheep rotation to avoid overgrazing and for our future property development plans. The latter includes the development of a Suffolk breeding program to supplement my husband’s pension.
- Unable to maintain or replace existing fencing due to the inability to access boundary fence lines.
- Unable to remove dangerous overhanging branches close to our home and garden. As a rule, we do not fell trees but if we identify hazardous limbs, we call in a qualified arborist to give us advice.
- Unable to collect dropped fire wood for heating (our only heating source).

Financial Disadvantages

We pay rates on 10.88 hectares. If only one third of our property is zoned Rural Living then we will pay rates on two thirds of our property which we cannot utilise. This is at odds with neighbouring properties proposed RLZ in their entirety which therefore have the full use of their property. They will pay rates for land they can use whereas we will pay rates for the benefit of “public” landscape values. “Discretionary” usage with regard to the proposed LCZ in our case doesn’t cut it as this is not a guarantee that current land practices can continue in the area designated LCZ.

We purchased the tramway which bisected our property in 2021 at a cost of approximately \$15K (surveyor’s fees, Crown Solicitor’s fees, the land itself, etc). The reason for purchasing it was because of its close proximity to our house and the fact that it cut through several existing structures (water tanks, pond, greenhouse, tool shed). To avoid any potential future issues, we wanted to ensure that we owned our land in its entirety. However, the proposed LCZ for our property will quash that idea and leave us out of pocket. Obviously, had we known of the zoning changes back then we would not have made the purchase.



Like others we also have concerns with respect to other financial disadvantages we could be faced with such as increased insurance premiums, bank loan constraints and the devaluation of our property if two thirds is zoned Landscape Conservation.

We selected our property as a home which met both our present and future needs as we are both seniors. The house has a concrete ramp for easy access as we age and a design which is suitable for a live-in carer/ family member as needed. Above all, the property is important for my husband's wellbeing. His service in the military, particularly in East Timor and Afghanistan, has left him unable to cope with city living. He requires a quiet, stress-free environment. The current re-zoning proposals have caused both of us but particularly him a lot of angst and uncertainty regarding our future.

Conclusion

In summary, our property should not have the LCZ applied for the following reasons:

- It is a long-established rural living property with a history of ongoing rural activities.
- The property's land size and usage will be significantly reduced by two thirds if the LCZ is applied.
- It has been proposed for areas of our property with existing outbuildings, pasture, etc.
- The bush component of our property can be protected by the Scenic Protection Area and Priority Vegetation codes.
- Our current land usage will be seriously impacted with respect to sheep husbandry (eg sheep numbers, stock segregation, pasture rotation, etc).
- Surrounding properties on [REDACTED] are proposed RLZ and those on [REDACTED] have been accepted by the TPC as RLZ.
- Other properties with the same vegetation, elevation and ridge line characteristics, for example, Oyster Cove Point (Kettering east) are to be zoned Rural Living.

In the interests of procedural fairness, we request that our property be zoned Rural Living C in its entirety which would be in keeping with its current usage, other properties in the area with similar landscape characteristics and neighbouring properties that form the [REDACTED] community in west Kettering. It is our view that the landscape values of our property can be managed under the proposed Scenic Protection Area and Priority Vegetation codes.



Top paddock for sheep grazing/ rotation and future development plans re breeding.



Ariel view of dams and top paddock on the left.



Tramway cleared for fire prevention which includes two water tanks.



Bush track into the top of the property utilized for dam maintenance, boundary fence checking and repairs.