
From: Ian Maxwell <[REDACTED]>
Sent: Wednesday, 22 April 2026 4:09 PM
To: Kingborough LPS
Subject: CM: Submission for consideration by TPC
Attachments: Submission to TPC for RLZ support - 22-4-2026.pdf

Hi,

Please find attached a submission in respect of the Ireneinc Report for Kingborough Municipality in relation to the recommendation for LCZ to reviewed to RLZ in the Albion Heights - Bonnet Hill locality.

Many thanks
Ian Maxwell

[REDACTED]
[REDACTED] Bonnet Hill 7053

WRITTEN SUBMISSION TO THE

TASMANIAN PLANNING COMMISSION

Kingborough Local Provisions Schedule — Direction 69 / Ireneinc Report

PART A — PROCEDURAL OPENING

VARIANT A1 — LETTER 2 (REPRESENTOR ALREADY HEARD, RLZ RECOMMENDED)

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 previously made a representation on the draft LPS and that representation has been heard by the Commission. I understand that by this letter the Commission is providing me with the opportunity to make a further written submission in relation to the Ireneinc report recommendations. I take up that opportunity and submit as follows.

PART B — PROPERTY DETAILS

Landowner name(s)	Ian Maxwell
Property address	[REDACTED] Bonnet Hill 7053
Title reference (folio)	[REDACTED]
Lot size (approx.)	1ha
Locality	Bonnet Hill
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	Accept RLZ — support and argue correct subcategory A

PART C — STATEMENT OF POSITION

I 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.

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 A (minimum lot size 1 ha) — the existing lot pattern in my locality is consistent with lots of approximately 1–2 ha

Wootten Drive and Sedgebrook Rd out of a total of 15 properties typically range from 1ha to 2ha approximately. My property is 1ha. This seems to be consistent with RLZ(A) which has a minimum lot size of 1ha. Out of the 15 properties there are two that fall out of this range at 4.15ha and 3.55ha. The 3.55ha is mostly a deep valley and not suitable for subdivision. This leaves only one property that does not fit the subcategory at 4.15ha. Applying RLZ(A) to my property would not allow further subdivision and this reflects the existing pattern around of settlement around me.

PART D — SUPPORTING EVIDENCE AND ARGUMENTS

D1 — The RLZ recommendation is consistent with the Zone Guidelines

D1.1 — 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.

For further detail please see attached letter dated 22/04/2026

D1.2 — 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 my property has always been residential, it has been used as a residence since 1996. My property is 1ha. The RLZ(A) is consistent with the lot size and does not create subdivision potential. Given that some other properties in my street are slightly larger I'm not opposed to using subcategory B to further protect subdivision opportunity.

D1.3 — 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 [A/B/C/D] — directly reflects the existing lot size pattern in my locality.

Please refer above to last paragraph in Part C for my explanation about lot sizes in my immediate locality.

D2 — Property-specific evidence supporting RLZ

D2.1 — 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 lot displays some of these characteristics but together with other properties in my street we collectively display all of these characteristics. Please see attached letter for further explanation.

D2.2 — 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 currently within a Scenic Protection Area(C8.0) and whilst it is not currently under The Natural Assets Code (C7.0) I am content that this overlay, together with C8.0 will combine, with the minimum lot size, to adequately manage landscape values without the need for LCZ.

D2.3 — 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 (A), the minimum lot size of 1ha, 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.

D3 — 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.

D3.1 — 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.

D3.2 — 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.

D3.3 — 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.

PART E — LOCALITY-SPECIFIC CONTEXT

My locality is Albion Heights – Bonnet Hill

The Ireneinc report recommends RLZ for my property.

Ireneinc recommended full ELZ to RLZ transitions for Kettering East / Howden / Albion Heights. No questions were asked about these recommendations at the hearing, though this does not indicate acceptance by the Commission. My property shares similar characteristics to these other localities as described in my attached letter. Consistent treatment supports the RLZ recommendation for my property.

PART F — 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(A), which reflects the existing pattern and density of development in my locality under Zone Guideline RLZ 3, and does not allow 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(A) 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:

Date: 22.4.26

Full name:

Contact email / phone:

LODGEMENT: Email your completed submission to tpc@planning.tas.gov.au with the subject line: 'Submission — Kingborough LPS Direction 69 — [your property address]'. Include your title reference in the body of the email. The deadline is midnight Monday 4 May 2026.

PART G — 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

22 April 2026

**Submission in Support of the Application of the Rural Living Zone (RLZ),
Bonnet Hill Locality**

I write to express my support for the proposed transition of land within the Bonnet Hill locality to the Rural Living Zone (RLZ).

The area is characterised by a low-density, semi-rural settlement pattern, with homes set on large, vegetated lots and thoughtfully positioned within the natural landscape. This pattern is not incidental—it reflects long-standing community values that prioritise space, privacy, and a close relationship with the surrounding bushland environment. The Rural Living Zone appropriately recognises and respects this established character.

Importantly, this is not an untouched or purely natural landscape. It is a lived-in environment where residential use has been present and consistent over time. The RLZ acknowledges this reality, providing a planning framework that aligns with how the land is already being used, rather than imposing a more restrictive zoning that does not reflect the day-to-day experience of residents.

The scenic and environmental qualities of Bonnet Hill are widely valued and form an essential part of the identity of the Kingborough area. Elevated ridgelines, expansive views to the Derwent Estuary, and the sense of openness created by large allotments all contribute to a landscape that is both visually striking and deeply meaningful to the community. However, these values are not at odds with the application of the Rural Living Zone. The existing planning scheme includes a range of overlays and controls—such as scenic protection, vegetation management, and hazard overlays—that are specifically designed to protect these attributes. These mechanisms allow for targeted and effective management of environmental values without the need to apply a more restrictive zone across the entire locality.

A key strength of the RLZ is its ability to maintain the existing balance between development and landscape. The minimum lot size provisions inherent in the zone act as a natural safeguard against overdevelopment, ensuring that the spacious, low-density character of the area is retained into the future. This supports the continuation of a settlement pattern where buildings remain secondary to the landscape, and where the natural environment continues to define the identity of the locality.

It is also important to recognise the voice of the community. Feedback on the proposed planning changes has demonstrated a clear preference for the Rural Living Zone over more restrictive alternatives. This reflects a shared understanding among residents of the values that define the area—values that include maintaining a semi-rural lifestyle, protecting the natural environment, and avoiding incremental suburbanisation. In my own street (Wootten Drive) we have a mixture of bushland, pasture (for grazing animals), chicken yards, large vegetable gardens, properties with various out buildings, Airbnb and businesses.

The planning assessment has acknowledged that while some level of risk exists in any zoning decision, the application of the RLZ in this locality is not considered high risk. This

reinforces the view that the RLZ represents a balanced and reasonable approach—one that supports the community while still providing appropriate safeguards for the environment.

In supporting the RLZ, it is also recognised that the planning framework retains the flexibility to respond to future challenges. Should specific issues arise, there are tools available within the scheme, such as more detailed local provisions, to ensure that outcomes continue to align with community expectations and environmental values.

In conclusion, the application of the Rural Living Zone to Bonnet Hill represents a thoughtful and appropriate response to the character, use, and values of the area. It respects the established settlement pattern, protects what the community values most about the landscape, and provides a balanced framework for the future.

I respectfully request that the proposed transition to the Rural Living Zone be supported.

Sincerely,
Ian Maxwell

[REDACTED]
[REDACTED] Bonnet Hill 7053