
From: Alison Rogers [REDACTED]
Sent: Monday, 4 May 2026 11:33 PM
To: Kingborough LPS; TPC Enquiry
Cc: Justine Brooks; [REDACTED]
Subject: Kingborough Draft LPS Rep 172 [REDACTED] Tinderbox
Attachments: [REDACTED]_LPS_Submission.docx

Dear Commissioners and Delegates

Thank you for the opportunity to submit further correspondence in support of our representation number 172. Please find attached a submission in support of the Kingborough Draft LPS Independent Consultant report findings for our property re direction 69.

We thank you for your time and assistance.

Warmest regards

Alison Rogers

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Patrick Murphy and Alison Rogers

██████████, Tinderbox TAS 7054

CT ██████████

04 May 2026

Tasmanian Planning Commission

GPO Box 1691

Hobart TAS 7001

Delivered by email: tpc@tpc.tas.gov.au

Re: Kingborough Local Provisions Schedule — Further Submission

██████████, Tinderbox — CT 140885/2 (2.15 ha) — Support for Rural Living Zone

Original representation: Rep 172

1. Introduction

We, Patrick Murphy and Alison Rogers, are the registered proprietors of the land at ██████████, Tinderbox (Certificate of Title ██████████, comprising 2.15 hectares). This further submission is made in response to the Ireneinc Planning & Urban Design Locality Baseline and Alternative Zone Evaluation report (February 2026) and the proceedings of the Tasmanian Planning Commission hearing conducted on 14th and 15th April 2026 in respect of the Kingborough Local Provisions Schedule (LPS).

In our original representation (Rep172), we objected to the proposed application of the Landscape Conservation Zone (LCZ) to our property and sought the application of the Rural Living Zone (RLZ) as the more appropriate successor to the existing Environmental Living Zone (ELZ) under the Kingborough Interim Planning Scheme 2015.

The Ireneinc report has now recommended that the full extent of ELZ in the Tinderbox (west) locality, which includes our property, transition to the Rural Living Zone. The Tasmanian Planning Commission indicated acceptance of this recommendation on day 2 of the recent hearing at Kingborough Council Chambers on the 15th April. We formally support this outcome and provide the following submission to affirm and reinforce the evidentiary basis for the Commission's determination.

2. Property Description and Existing Use

The subject land is located at ██████████, Tinderbox and is identified by Certificate of Title ██████████ comprising 2.15 hectares. The property is currently zoned Environmental Living under the Kingborough Interim Planning Scheme 2015.

The land is a mix of cleared pasture and light bush with a well-established residential use. As noted in our original representation, a large % of the property is cleared, with

very limited native vegetation and no significant landscape values. The property is consistent in character, lot size, land use and settlement pattern with the surrounding Tinderbox residential community situated along Tinderbox Road.

Our preference is to continue the existing residential use of the land within an appropriate planning framework that reflects the genuine character of the site.

3. Support for the Ireneinc Recommendation

We formally support the Ireneinc recommendation that the full extent of ELZ in the Tinderbox (west) locality, including CT [REDACTED], should transition to the Rural Living Zone. The recommendation is well-founded and consistent with the evidence base. We adopt the following grounds in support.

3.1 The Property Exhibits a Clear Rural Living Settlement Pattern

The Ireneinc evaluation correctly identifies the Tinderbox (west) locality as exhibiting the attributes of a rural living settlement. The locality is characterised by an established pattern of residential lots, detached dwellings, and associated rural activities along the Tinderbox Road corridor. Our property at [REDACTED] is a 2.15 hectare lot with an existing dwelling and studio — squarely within the lot size and density profile of the surrounding RLZ community.

Ireneinc's locality evaluation confirms that the area has a strategic intention for residential use, with visual evidence of existing residential activity. This is a foundational criterion for the application of the RLZ under the Section 8A Zone Guidelines, and it is satisfied in full.

3.2 The LCZ Would Not Be Appropriate for This Site

The LCZ is designed to protect, conserve and manage identified landscape values — it is not an appropriate vehicle for residential land where the dominant use is a settled, low-density rural residential community. Guideline criterion LCZ4(a) of the Section 8A Guidelines makes clear that the LCZ should not be applied to land where the priority is residential use.

At 466 Tinderbox Road, there is no meaningful landscape value capable of sustaining LCZ application. The land is largely cleared and does not constitute the type of significant, identified landscape value that the LCZ framework is designed to protect. As Ireneinc correctly determined, the residential character of this locality takes precedence and the RLZ is the more appropriate zone.

3.3 Landscape Values Are Appropriately Managed Under the RLZ

Ireneinc's evaluation expressly acknowledges that landscape values are present in the Tinderbox (west) locality, but concludes that there are sufficient mechanisms within the Tasmanian Planning Scheme to manage those values under the RLZ. This is a sound and well-reasoned conclusion.

The planning scheme provides multiple controls that will continue to manage landscape and natural values on land within the RLZ — including the Scenic Protection Area overlay, the Priority Vegetation Area overlay, the Natural Assets Code, and applicable performance standards governing development within the zone. These mechanisms are well-adapted to the conditions of this locality and

provide for appropriate, proportionate regulation without the disproportionate restrictions associated with the LCZ.

Ireneinc's risk assessment for the Tinderbox (west) locality assessed the risk of applying the RLZ as medium, on the basis that most lots within the area are already developed to a density consistent with the RLZ subcategory appropriate for the locality, and that the overlay controls in place will provide effective management of residual landscape values. We agree with this assessment.

3.4 No Further Subdivision is Sought or Required

Ireneinc's recommendation is conditional on the RLZ being applied at a subcategory that provides for no further subdivision of the subject parcels. We expressly accept this condition. The landowners are not looking to subdivide CT [REDACTED] and are content for the minimum lot size applicable under the RLZ subcategory B to preclude further subdivision of this lot.

This condition is a reasonable and proportionate mechanism for managing any residual risk associated with the RLZ transition, and it is one we willingly accept. At 2.15 hectares, the property is consistent with a subcategory that would effectively foreclose subdivision while preserving the existing residential use rights.

3.5 Consistency with the Surrounding Zoning Pattern

The broader Tinderbox Road corridor includes substantial areas already zoned Rural Living. Transitioning [REDACTED] to the RLZ would produce a coherent and consistent zoning outcome that reflects the genuine character of the locality. By contrast, retention of an LCZ or application of a spot LCZ amid a pattern of RLZ-zoned land would create a fragmented and anomalous outcome that Ireneinc's evaluation framework is expressly designed to avoid.

The transition to RLZ represents sound planning practice — it acknowledges the established settlement pattern, aligns with the functional character of surrounding land, and delivers a rational zone boundary that a well-functioning planning scheme requires.

3.6 The Commission's Approach at the recent Hearing

At the hearing on 14th and 15th April 2026, the Tasmanian Planning Commission indicated acceptance of Ireneinc's recommendation for the Tinderbox (west) locality, including the transition of ELZ land to the Rural Living Zone subject to the no-further-subdivision condition. We note that the Commission approached all representations by reference to the statutory criteria under section 34 of the Land Use Planning and Approvals Act 1993, rather than by reference to Kingborough Council's March 2026 resolution. This is the legally correct framework, and we have framed this submission accordingly.

The RLZ outcome for this property satisfies the section 34 criteria. It reflects the appropriate zone for the land given its characteristics, it is consistent with the State Planning Provisions, it aligns with the Section 8A Zone Guidelines, and it achieves a coherent and non-fragmented pattern of zone application.

4. Conclusion and Relief Sought

We respectfully submit that the Rural Living Zone is the correct and appropriate zone for [REDACTED] (CT [REDACTED]) in the Kingborough Local Provisions Schedule. The Ireneinc recommendation is well-founded, the TPC's indicated acceptance is appropriate, and the grounds set out in this submission confirm that the RLZ outcome is consistent with the applicable statutory criteria and zone application guidelines.

We seek that the Commission confirm the following in its final determination:

- The application of the Rural Living Zone B to CT [REDACTED], [REDACTED], [REDACTED], Tinderbox in the Kingborough Local Provisions Schedule.
- The RLZ subcategory B to be set at a level that provides for no further subdivision of this lot, consistent with the Ireneinc recommendation and the Commission's indicated approach.
- No modification to the zone allocation for this property beyond what is identified above.

We thank the Commission for the careful and thorough manner in which the Kingborough LPS review has been conducted. We look forward to a positive outcome for all affected landowners in the Tinderbox (west) locality.

Yours faithfully,

Patrick Murphy and Alison Rogers

[REDACTED] Tinderbox TAS 7054

CT [REDACTED]

04 May 2026