
From: Sharon Matthews [REDACTED]
Sent: Sunday, 3 May 2026 8:10 PM
To: Kingborough LPS
Subject: Submission-KingboroughLPS Direction69 [REDACTED], Longley 7150.
Attachments: LCZ SubmissionONE.docx; Attachment AB.docx

Titles: [REDACTED] and [REDACTED]

*Kind regards,
J. Matthews*

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 remains within the Landscape Conservation Zone (LCZ) under the draft Kingborough Local Provisions Schedule (LPS). I did not make a formal representation during the public exhibition period, however I understand that the Commission has received correspondence from me or on my behalf in relation to the draft LPS. I understand that this letter provides me the opportunity to formally participate in this stage of the LPS process by making a written submission. I understand that making a submission does not confer a right to be heard, but that the Commission may decide to invite me to discuss the matters raised. I take up that opportunity and submit as follows:

PROPERTY DETAILS

Landowner Name	Jason Matthews
Property Address	██████████ Longley 7150
Title Reference (folio)	██████████ and ██████████
Lot Size (approx.)	43 Ha and 14 Ha
Locality	Longley
Current IPS Zone	<i>Environmental Living Zone (ELZ)</i>
Draft LPS Exhibited Zone	<i>Landscape Conservation Zone (LCZ)</i>
Ireneinc Exhibited Zone	<i>Landscape Conservation Zone (LCZ) - unchanged</i>
Zone Sought in this Submission	<i>Rural Living Zone (RLZ) : 2.1,</i>

STATEMENT OF POSITION

I submit that the application of the Landscape Conservation Zone (LCZ) to my property is not consistent with the requirements of section 34 of the Land Use Planning and Approvals Act 1993 (LUPAA), the Section 8A Guideline No. 1—Local Provisions Schedule: Zone and Code Application (the Zone Guidelines), or the Southern Tasmania Regional Land Use Strategy (STRLUS).

I request that the Commission determine that the Rural Living Zone (RLZ) is the appropriate zone for my property under the draft Kingborough LPS size 5 ha)—reflecting the existing lot pattern in my locality as:

Rural Living Zone D (minimum lot size 10 ha)—appropriate where lot sizes exceed 10 ha and no further subdivision is intended.

GROUNDNS FOR THIS SUBMISSION

D1—The LCZ does not comply with the Zone Guidelines (Guideline No. 1 / s.34 LUPAA)

The Commission is required by section 35L(2) of LUPAA to assess whether the LPS meets the LPS criteria, which includes compliance with the Zone Guidelines. The Commission confirmed at the Day 20 hearing that it will decide on the basis of the LPS criteria set out in section 34 of LUPAA and explicitly noted that Council's position—including its 16 March 2026 resolution favouring the 'least restrictive alternative'—is not binding on the Commission [Transcript, Day 20, 06:45:48]. I submit that the application of LCZ to my property does not comply with the Zone Guidelines as demonstrated below:

D1.1—The Zone Guidelines prohibit LCZ where priority is residential (LCZ 4(a))

Zone Guideline LCZ 4(a) provides that the LCZ should NOT be applied to land where the priority is for residential use and development, instead indicating that the RLZ should be referred to. The Zone Guidelines further note explicitly that 'the LCZ is not a large lot residential zone, in areas characterised by native vegetation cover and other landscape values.'

My property has been used for residential purposes throughout the period it has been zoned Environmental Living Zone (ELZ) under the Kingborough Interim Planning Scheme 2015. During my tenure, the primary use and strategic intention of the land is and has always been residential.

D1.2—The LCZ is not a replacement zone for the ELZ (Zone Guidelines note)

The Zone Guidelines state expressly: 'The LCZ is not a replacement zone for the ELZ in interim planning schemes. There are key policy differences between the two zones.' The TPC itself noted this in its post-lodgement correspondence with Council, observing that the LCZ 'appears to have been used quite extensively to replace the ELZ' and that 'application of the LCZ could signify a shift in council policy or strategy, which generally ought to be comprehensively justified.'

No such comprehensive, site-specific justification has been provided for my property. The Ireneinc report applies the LCZ to my property on the basis of generalised locality-level landscape values, not on the basis of demonstrated landscape values specific to my title

D1.3—The RLZ is the appropriate zone under the Zone Guidelines (RLZ 1 and RLZ 2(b))

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 description accurately characterises my property.

Zone Guideline RLZ 2(b) further provides that the RLZ may be applied to land within the ELZ in an interim planning scheme 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 of this criterion.

D2—The Ireneinc evaluation framework, applied correctly to my property, supports RLZ

The Ireneinc report applies an evaluation pathway (decision tree) to determine the appropriate zone. The Commission was told at Day 20 of the hearing that this framework is not a statutory

instrument—it is a tool, not a rule [Kate Heckelmann, Transcript Day 20, 05:53:00]. Representations can depart from it with good evidence. However, I submit that even applying the framework as intended, my property satisfies the criteria for RLZ rather than LCZ.

D2.1—My property has a strategic residential intention

The first decision point in the Ireneinc evaluation pathway asks whether there is a strategic intention for residential use. The report identifies visual evidence of existing residential use and known strategic intention as the relevant indicators. My property clearly satisfies this criterion.

 *“My property contains an established dwelling, associated outbuildings including garage/sheds, and garden/cleared areas/paddocks/fencing. Aerial photography over a period of 100 years confirms the consistently residential character of the property.*

D2.2—My property has the characteristics of a rural living settlement

The Ireneinc framework identifies rural living settlement characteristics as: 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 (cleared areas, hobby farming, grazing etc.). The Ireneinc report's own locality baseline confirms that the broader settlement in which my property sits displays these characteristics

 *'My property is situated within a cluster of 3 properties along [REDACTED], each with lot sizes ranging from approximately 3 ha to 41 ha. The settlement pattern is consistent and has been established approximately since 1890. Neighbouring properties contain detached dwellings with associated rural activities including hobby farming / grazing / orchards / etc.*

D2.3—The identified landscape values can be managed outside of LCZ

The Ireneinc evaluation framework requires consideration of whether identified landscape values can be appropriately managed outside of LCZ, specifically through the Natural Assets Code (NAC), the Scenic Protection Code (SPC), or a Specific Area Plan (SAP). The Commission itself accepted this argument in relation to Kettering West at Day 20, where the panel effectively found that the Priority Vegetation Area (PVA) overlay does the landscape-protection work, not the zone [Transcript, Day 20, 02:33:54].

 *'My property is within a Scenic Protection Area (SPA). It is subject to the NAC / PVA overlay. These overlay controls provide adequate management of any landscape values present, without the need for the more restrictive LCZ. The current code overlays are : E1.0, E3.0, E10.0, E11.0, E14.0*

 *'The property is predominantly cleared / cultivated / developed. There is limited native vegetation on the title. The landscape values identified in the Ireneinc locality baseline relate to large areas of native vegetation which surrounds my property and does not characterise my title.'*

D2.4—The RLZ subcategory provides for limited or no further subdivision

The Ireneinc framework identifies as a key RLZ suitability indicator that the transition 'would result in limited/no further subdivision' and that 'a similar minimum allowable lot size is being applied.' Applying RLZ D to my property achieves this outcome, as the minimum lot size under that subcategory is consistent with the existing lot size and does not create a viable subdivision pathway.

My property has an area of 57 ha. Under RLZ [D], the minimum lot size is 10 ha (with an 8 ha performance criteria). Subdivision of my property under this subcategory would not be possible, addressing any concern about intensification.

D3—The TPC panel's own statements support RLZ for properties like mine

The following exchanges from the Day 19 and Day 20 TPC hearings directly support the argument that the RLZ is more appropriate than the LCZ for my property. These statements were made by TPC Commissioners and are on the public record.

D3.1—The evaluation framework is not a statutory instrument

Kate Heckelmann (Ireneinc) conceded at Day 20 [05:53:00] that the evaluation framework is not a statutory instrument—it is a tool, not a rule. The Commission is not bound by its application in any individual case and must assess my property against the statutory criteria in section 34 of LUPAA and the Zone Guidelines.

D3.2—Risk ratings are judgement calls, not defined thresholds

At Day 20, the low/medium/high risk ratings applied by Ireneinc to LCZ recommendations were described as judgement calls, not defined thresholds. Ireneinc's position was that these ratings are a rule of thumb only [Day 20 guide]. The Commission has not yet determined what weight to give these ratings. Where the risk rating applied to my locality is medium or high, this is not a determinative finding—it is an assessment that can be challenged with site-specific evidence.

The Ireneinc report rates the transition of land in to RLZ as [low/medium/high] risk. I submit that this rating does not accurately reflect the characteristics of my individual property.

D3.3—Visible rural activity is not required for RLZ

The TPC panel confirmed at Day 20 that visible rural activity is not a prerequisite for RLZ. This was applied consistently across multiple localities including Howden, Albion Heights, and Kingston West [Day 20 guide]. Properties need not demonstrate active farming or grazing to satisfy the RLZ criteria—residential use in a rural setting is sufficient.

D3.4—Analogy to accepted RLZ localities

The Ireneinc report recommended full ELZ to RLZ transitions for a number of localities, including Kettering East and Oyster Cove, Howden and Blackmans Bay, Albion Heights, and Tinderbox West. No questions were asked about these recommendations at the hearing, though this does not indicate acceptance by the Commission. The characteristics of those localities—established residential settlement, lots generally between 1 and 15 ha, mixed residential and rural activities, limited evidence of significant landscape values requiring LCZ protection—are shared by my property.

My property in Longley is directly comparable to bordering properties (), Longley and () Longley) where RLZ was recommended. Both areas share the following characteristics: lot sizes, settlement pattern, proximity to existing RLZ. There is no principled basis on which to treat my property differently.

D4—Consistency and fragmentation arguments

D4.1—Fragmented LCZ application should be resolved in favour of the surrounding zone

The Ireneinc report itself identifies avoidance of fragmented LCZ application as a key principle. The report notes that areas where only 2–3 LCZ-zoned properties are surrounded by Rural Zone (RZ) or RLZ land should be modified to resolve the fragmentation. Where my property is located within or adjacent to an area predominantly zoned RLZ or RZ, the application of LCZ creates exactly the kind of spot-zoning that the Ireneinc framework seeks to avoid

 'My property is surrounded in an east direction by properties zoned [RLZ/Rural Zone] under the draft LPS. The application of LCZ to my property alone, creates a fragmented and isolated pocket of LCZ within a predominantly [RLZ/Rural] area.

D4.2—Inconsistency with adjoining or comparable properties

The Zone Guidelines require that the spatial application of zones be, as far as practicable, consistent with and coordinated across the LPS. Where neighbouring properties with substantially similar characteristics have been recommended for RLZ, the application of LCZ to my property is inconsistent and not supported by evidence of any material difference.

 'The property at , Longley and , Longley, which are immediately adjacent to mine and shares the similar lot size, settlement character, and land cover, has been recommended for [RLZ]. Many properties backing onto 'Environmental Management' as does mine. There is no identified difference in landscape values, vegetation cover, or development history that would justify the different treatment of my property.

D5— Council's approach has been historically inconsistent.

The Ireneinc LCZ Review report documents a significant evolution—and inconsistency—in Council's approach to the application of the LCZ to ELZ land. At the time the draft LPS was first submitted to the TPC in 2020, approximately 85% of ELZ parcels were proposed for LCZ. The TPC noted that this approach was often inconsistent with the Zone Guidelines and that 'often when assessing particular sites the zone proposed does not seem to match these criteria or those of Guideline No.1.' By the time of public exhibition the proportion had been reduced to approximately 75%, with the balance transitioning to RLZ, RZ, and other zones.

This history demonstrates that the initial presumption in favour of LCZ was not well-founded and that the LCZ application has been progressively narrowed as the evidence base has been tested. The Ireneinc report represents a further iteration of this process, but where the evidence specific to my property supports RLZ, the LCZ recommendation should not be allowed to stand.

D6—Any landscape values present can be managed without LCZ

Where landscape values are present on or near my property, I submit that they can be appropriately managed through the application of the relevant overlay controls, without the need for LCZ. The TPC panel acknowledged on Day 20 [02:33:54] that the PVA overlay and SPC do the landscape-protection work in many cases, removing the justification for LCZ in those areas.

Ireneinc itself acknowledged in the LCZ Review report that a future rural living settlement review may reconsider current RLZ decisions, and that any short-term risk is 'not something that's a definitive or a risk that can't be mitigated with future action' [Transcript, 03:06:18]. This

acknowledgement of residual risk mitigation further supports the appropriateness of RLZ rather than LCZ for my property.

. *'My property is within the SPA / PVA overlay / subject to the NAC. These controls are already in place:*

E1.0- Bushfire Prone areas code

E3.0- Landslide Code.

E10.0- Biodiversity code.

E11.0- Waterway and Coastal Protection Code.

E14.0- Scenic Landscapes Code

The combined effect of RLZ zoning and these overlay controls is sufficient to manage any landscape values identified in the locality baseline without resort to LCZ

D7—Inconsistency in the Ireneinc evaluation framework (Attachment A)

A formal inconsistency analysis has been prepared and is attached to this submission as Attachment A. That analysis compares the landscape value descriptions, settlement characteristics, lot sizes, SPA coverage, PVA/NAC overlay coverage, and risk ratings applied by Ireneinc to this locality against one or more similar localities that received a more favourable zone outcome using the same or near-identical evidence. The analysis draws on the following key statements from the Day 20 TPC hearing:

- Commissioner Rohan Probert [01:07:48]: Directly identified that landscape descriptions for Tinderbox East and Howden are near-identical yet produced opposite zone outcomes, asking Ireneinc to identify the actual difference between those two. This principle applies to the inconsistency documented in Attachment A for this locality.
- Commissioner Dan Ford [02:33:54]: Forced the concession that the PVA overlay does the landscape-protection work, not the zone. This principle applies where PVA overlay is present on my property.
- Kate Heckelmann (Ireneinc) [05:53:00]: The evaluation framework is a tool, not a statutory instrument. Submissions can depart from it with good evidence

 *'As documented in Attachment A— 'Longley' section, the comparison with shows that Ireneinc applied near-identical landscape value descriptions and settlement findings to both localities yet recommended [LCZ] for Longley and [RLZ]for Longley.*

The sole differentiator •Commissioner Dan Ford [02:33:54]: Forced the concession that the PVA overlay does the landscape-protection work, not the zone. This principle applies where PVA overlay is present on my property.

LCZ should not apply to my individual property because RLZ would be a more accurate description of the land use as categorised by surrounding properties. I request that the Commission have regard to Attachment A in assessing this submission, and in particular to the specific comparison rows identified above, which demonstrate that the Ireneinc recommendation for this locality is inconsistent with the outcome produced by the same evaluation framework applied to comparable localities elsewhere in the municipality.

CONCLUSION AND RELIEF SOUGHT

for the reasons set out above, I submit that:

1. The application of the LCZ to my property is inconsistent with the Zone Guidelines (Guideline No. 1) and does not satisfy the requirements of section 34 of LUPAA.
2. The LCZ is prohibited by Zone Guideline LCZ 4(a) where, as here, the priority of the land is residential use.
3. The Rural Living Zone satisfies the criteria in Zone Guidelines RLZ 1(a) and RLZ 2(b) and is the appropriate zone for my property.
4. Any landscape values identified in the locality can be appropriately managed through existing overlay controls without resort to LCZ.

I respectfully request that the Commission

- Determine that the draft Kingborough LPS should be modified to include my property within the Rural Living Zone [specify subcategory A/B/C/D];
- If the Commission proposes any alternative outcome, that I be provided with an opportunity to respond before any final determination is made.

I request that the folio of the Register [] and [] at [], Longley, be included within the Rural Living Zone [C] in the Kingborough Local Provisions Schedule

Signed: J. Matthews	Date: 03/05/2026
Full Name Jason Matthews	Contact Email/Phone []

LODGEMENT: Email your completed submission to KingboroughLPS@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

ATTACHMENT A

Inconsistency Analysis—Ireneinc Zone Evaluation

PART 1 – SUBMISSION IDENTIFICATION

Submission Reference	<i>Jason Matthews. [REDACTED], Longley, 7150— Direction 69</i>
Property Title Reference	<i>[REDACTED] and [REDACTED]</i>
Location	<i>Longley</i>
Submission Template Used	<i>Template T2- LCZ, Seek Rural Zone</i>
Date of Attachment Preparation	<i>03/05/2026</i>

PART 2 – PURPOSE OF THIS ATTACHMENT

This attachment has been prepared to support the written submission identified above. It provides comparative analysis of the Ireneinc zone evaluation framework as applied to the landowner's locality, compared against one or more similar localities that received a different—and more favourable—zone outcome using the same or very similar evidence.

The purpose is to demonstrate to the Commission that the Ireneinc recommendation for this locality is inconsistent with the outcome produced by the same evaluation framework applied elsewhere in the municipality, and that there is no clear reason to treat this locality differently from the similar localities identified.

This attachment should be read alongside the written submission, in particular the arguments set out in Part D (D7—Inconsistency in the Ireneinc evaluation framework) and Part E (Locality-Specific Context) of that submission.

PART 3 – HEARING EVIDENCE SUPPORTING THIS ANALYSIS

The following statements from the Day 19 and Day 20 TPC hearings directly support the use of a comparative inconsistency analysis as evidence in a submission:

Speaker and Timestamp	Statement and Relevance
Delegate Rohan Probert [01:07:48]	Comparing Tinderbox East (LCZ) with Howden (RLZ): 'They are very similar if you only look at the description of the landscape values... one we say they can be managed and the other one we say they can't be managed. What we really need to say is the difference between those two.' This statement acknowledges that the Ireneinc framework produced inconsistent outcomes from very similar evidence, and that the difference between localities needs to be clearly explained. This analysis does exactly that for this locality.

Delegate Dan Ford [02:33:54]	At Kettering West: effectively forced the concession that the Priority Vegetation Area (PVA) overlay does the landscape-protection work, not the zone. This is directly relevant where PVA applies to the subject property and LCZ has been recommended—the same logic that produced RLZ at Kettering West Groombridges applies.
Kate Heckelmann (Ireneinc) [05:53:00]	Conceded that the evaluation framework is a tool, not a legal requirement. Submissions can move away from it if supported by good evidence. This confirms that identifying inconsistencies in the framework's application—as this analysis does—is a legitimate basis for a submission.
Chair Nick Heath [06:45:48]	Confirmed that the Commission will decide on the basis of section 34 LUPAA criteria (Zone Guidelines and LPS criteria), not on the basis of Council's position or the Ireneinc framework alone. The Zone Guidelines require consistent application of zone criteria—inconsistency of the kind documented in this attachment is therefore directly relevant to the Commission's assessment under the law.

PART 4 – MOST RELEVANT COMPARISONS FOR THIS SUBMISSION

The following table identifies the specific comparisons within the attached Inconsistency Analysis that are most directly relevant to this submission. The full comparative tables for this locality appear in the pages that follow.

Characteristic Compared	Similar Locality cited in Attachment A	Why this comparison supports my submission
<i>landscape value description</i>	<i>Longley / Longley</i>	<i>Longley was described as elevated bushland with vegetated ridgeline; Some areas of Longley while backing onto 'Environmental Management' received RLZ; my property in Longley received LCZ—no clear reason for the difference</i>

PART 5 – PROPERTY-SPECIFIC DIFFERENTIATION

This attachment identifies inconsistencies at the locality level. The submission itself provides the property-specific evidence explaining why those inconsistencies apply to this individual property. In summary, the following characteristics of this property are consistent with the similar localities that received RLZ, and are not consistent with the reasons cited by Ireneinc for LCZ retention:

My lot is 57 ha—consistent with the 43 ha adjacent property [REDACTED], Longley) accepted for RLZ, and within the range for which Ireneinc found codes manage landscape values adequately.2. My lot is partially cleared with an existing dwelling although it does display the elevated vegetated ridgeline character cited as the basis for LCZ retention, this is already protected in the current zoning.

PART 6 – VERIFICATION AND PRIMARY SOURCES

All comparisons in this attachment can be verified against the following primary source documents, which are publicly available:

- Ireneinc Locality Baselineing and Alternative Zone Evaluation (available on the TPC website)
- Ireneinc LCZ Review and Findings Report (available on the TPC website)
- TPC Day 20 hearing recording—Kingborough Council YouTube channel (available until midnight 19 June 2026)
- Section 8A Guideline No. 1—LPS Zone and Code Application (available on the TPC website)

PART 7 - DECLARATION

I confirm that:

1. This attachment has been prepared to support a formal written submission to the Tasmanian Planning Commission in relation to the Kingborough Local Provisions Schedule (Direction 69).
2. The comparisons contained in this attachment are based on publicly available Ireneinc reports and TPC hearing records, and I have made reasonable efforts to ensure accuracy.
3. I am the owner or authorised representative of the property identified in Part 1 above.

Signed: <i>J. Matthews</i>	Date: 03/05/2026
Full Name Jason Matthews	Contact Email/Phone [REDACTED]