
From: Teresa Marr [REDACTED] >
Sent: Wednesday, 29 April 2026 8:56 AM
To: Kingborough LPS
Cc: [REDACTED]
Subject: CM: Tinderbox East Neighbourhood collective submission

Dear Tasmanian Planning Commission

Re: Kingborough Draft Local Provisions Schedule (LPDS) - "Tinderbox Road East Neighbourhood" collective submission.

I/we, Teresa Marr and Matthew Rex Lyndon, as the owners of the property at [REDACTED] Tinderbox, confirm that we provide our support to and have agreed for our names and addresses to be joined to the "Tinderbox Road East Neighbourhood" collective submission.

Yours sincerely,

Matthew Rex Lyndon
Teresa Marr

[REDACTED]
Tinderbox, TAS, 7054

[REDACTED]

Submission in relation to the Ireneinc report – change of zoning from Environmental Living to Landscape Conservation.

Our property at East Tinderbox has been recommended for Landscape Conservation zoning (LCZ).

Tinderbox East has been a residential area for upwards of 150 years and has become highly sought after for the natural bushland residential settings adjacent to the River Derwent.

The current zoning of our property, Environmental Living, has a primary purpose of ‘residential (existing natural and landscape values to be retained)’. The proposed zone, Landscape Conservation, has a primary purpose of ‘protection, conservation and management of landscape values.’ The strategic intention expressed by the use of the words ‘primary purpose’ is found below as relates to the current zoning – Environmental Living. ([refer to pg 88 of the Ireneinc report](#)). The importance, therefore, of the change of primary purpose with the introduction of the LCZ cannot be overstated.

By including parcels of land in the existing ELZ, there is considered to have been an intention for residential use to occur – however this was provided for only within the bounds of where environmental values were appropriately considered. This gives rise to the view that the ELZ does have an embedded primary intent for residential uses.

It is acknowledged that the contemplation of residential uses as permitted uses within the ELZ or former EMZ as provided for within the bounds of the relevant standards, could be viewed as indicating there is a primary strategic intention for residential uses to be facilitated within a rural setting that are supported by a secondary (dependent) intent which is to provide for the integration of those residential uses in a way which is compatible with high-value natural and scenic landscapes. This would be compatible with the definition of primary, which is defined by the Macquarie Dictionary as including:

- first or highest in rank or importance; chief; principal.
- first in order in any series, sequence, etc.
- first in time; earliest; primitive.
- constituting, or belonging to, the first stage in any process.⁵¹

The change of primary purpose is the factor which is most important in the proposed zone as it will affect the outcome of planning applications. The primary purpose will be to preserve natural values and vegetation, to the detriment of all other purposes.

With residential use discretionary (unless there are building envelopes shown for the lots on the sealed plan), in assessment of a planning application, there will be a clash between the primary purpose of conservation, bushfire management requirements, and residential needs.

Landscape conservation needs will have precedence as the primary purpose, the development permits (if even issued) will have conditions that are impossible to meet, and the land will become worthless in the context of its previous use. Indeed, the knowledge of the future difficulties in achieving development will reduce the value of the properties immediately.

The ‘prior use’ rights allowing for continuation of the residential purpose for those currently with dwellings is not sufficient as it only allows for the continued use as residential in the short term. However, all buildings, such as our house (built in the 90’s), will eventually need to be replaced, which will involve a planning permit. Although there may be a house existing on your land, you

may need to apply for a planning permit to erect a shed or other structure that is related to the existing use.

Those who own land that is not yet developed will not even have the temporary benefit of 'prior use'.

The Irenic report seems to support the use of the rural living zone if the management of natural values can take place through the planning overlays ([refer to page 89](#)).

I maintain there are already stringent conditions imposed by planning overlays that protect natural values, such as those that are present over our property – Biodiversity protection, Bushfire prone area and Landslide hazard area. These layers require reports costing many thousands of dollars, such as natural values reports, natural values surveys, engineers reports and bushfire management reports. Even with a primary purpose of residential (with regard to natural values), it is already challenging, time consuming and expensive to gain approvals for a residential development in the area, such as a house or a large shed. A rural residential zone that simply maintains the current overlays would therefore seem to be sufficient.

A significant proportion of properties in the Tinderbox East area, such as ours, are already much smaller than the proposed minimum of 50 Ha in the LCZ. Most are less than 10 Ha, refer to page 89 of the Ireneinc Report, which clearly shows almost all of Tinderbox East in this category shown in red. They were subdivided at a time when 'building envelopes' were not required on sealed plans, therefore obtaining this requirement for residential use to be permitted is now impossible. Changing the minimum lot size to 50 Ha, seems to have little point other than to prevent the few farming properties that remain (which incidentally have no natural values remaining), being divided for residential lots.

It is likely that the most suitable use for these land parcels is residential lots, as small farms are no longer financially viable. This subdivision would be prohibited under the proposed LCZ resulting in a dramatic loss of land value.

Summary

The goal of the LCZ is to prioritise landscape conservation (the proposed primary purpose), which if applied, will result in the inevitable loss of amenity and value of the land for residential purposes (the current primary purpose).

I also conclude that the *Council's Strategic Intention* for the land at East Tinderbox must have fundamentally changed and that the change of zoning to LCZ with the new primary purpose will enable this intention.

We submit that - a residential zone that has a primary purpose commensurate with the current uses of the land, such as rural residential, should be applied to our land, whilst retaining the planning overlays for the protection of natural values. If the TPC and Council force the application of the LCZ to facilitate a revised Strategic Intention for the area, compensation must be paid to landowners.

Teresa Marr and Matthew Rex Lyndon, [REDACTED] Tinderbox (East).