
From: Brian Anderson <[REDACTED]>
Sent: Monday, 27 April 2026 2:56 PM
To: Kingborough LPS
Subject: CM: Submission - Kingborough LPS Direction 69 - [REDACTED] Blackmans Bay
Attachments: T5_Accept_RLZ_Argue_Subcategory_Anderson [REDACTED].pdf

Follow Up Flag:

Title Ref: [REDACTED]

Good Afternoon,

Please find attached submission supporting Ireneinc recommendation for zoning of RLZ for our property.

Yours faithfully,

Brian and Susan Anderson

TASMANIAN PLANNING COMMISSION

Kingborough Local Provisions Schedule — Direction 69 / Ireneinc Report

To the Tasmanian Planning Commission,

We write in response to the letter dated 2 April 2026 (ref: DOC/26/36829) advising that the Ireneinc report recommends our 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. We also received correspondence from Caleb and Nathaniel Elcock (REF:20250909-TPC-WSR1) who have suggested that our property would be more appropriately zoned 11.0 Rural Living.

We did not make a formal representation during the public exhibition period, however we understand that the Commission has received correspondence on our behalf in relation to the draft LPS. We understand that this letter provides us the opportunity to formally participate in this stage of the LPS process. We take up that opportunity and submit as follows.

PART B — PROPERTY DETAILS

Landowner name(s)	Brian and Susan Anderson
Property address	[REDACTED], Blackmans Bay
Title reference (folio)	[REDACTED]
Lot size (approx.)	2.63ha
Locality	Blackmans Bay
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Rural Living Zone (RLZ) — subcategory B
Position in this submission	Accept RLZ — support and argue correct subcategory B

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 B (minimum lot size 2 ha) — the existing lot pattern in my locality is consistent with lots of approximately 2–5 ha

Properties in [REDACTED] typically range from 1-5ha. My property is 2.63ha. This is consistent with RLZ B, which has a minimum lot size of 2ha. Applying RLZ B to my property would significantly constrain further subdivision reflecting the existing settlement pattern.

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.

Our property contains a house constructed in 1980 with carport and adjoining art studio. The primary use is residential. There is also a vegetable garden. This is precisely the mix of residential and lower-order rural activities described in RLZ 1(a).

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 1980. My property is 2.63ha. The RLZ B minimum lot size of 2ha is consistent with this existing lot size and does not create subdivision potential.

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 B — directly reflects the existing lot size pattern in my locality.

The Ireneinc Locality Report for Blackmans Bay confirms the settlement pattern of large lot bushland residential settlement characteristics which borders General Residential Zoned land located near Blackmans Bay. Properties in my immediate area have lot sizes of approximately 1-5ha. My property of 2.63 ha is consistent with this pattern, supporting the application of RLZ B.

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 property is part of a cluster of residential properties along [REDACTED], each with lot sizes of approximately 1-5ha. Each property contains a dwelling with associated outbuildings and the area has been a settled rural residential community for over 50 fifty years. The Ireneinc Locality Report confirms the area maintains a consistent pattern of large lot bushland residential settlement characteristics.

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 not within a a Scenic Protection Area. The Natural Assets Code does not apply to native vegetation on my title. The combined effect of these overlay controls and the RLZ minimum lot size provides adequate management of any 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 B, the minimum lot size of 2ha 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.

My property is 2.63ha. Under RLZ B with a minimum lot size of 2ha, no subdivision is possible. We do not intend to subdivide. The pattern of our lot is consistent with surrounding properties.

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

Locality name: Howden and Blackmans Bay

Ireneinc recommendation for this locality and subcategory specified: The Ireneinc report recommends RLZ B for my property. I agree with this recommendation because our property is 2.63ha and is for residential use.

TPC panel comments specific to your locality: The Ireneinc report recommended RLZ for Howden and Blackmans Bay, noting that the area maintains a consistent pattern of large lot bushland residential settlement characteristics. No questions were asked about this at the hearing, though this does not indicate acceptance by the commission.

Existing zoning of surrounding properties: My property is close to General Residential Zoned land to the North and surrounding properties are zoned ELZ. My property is consistent with the surrounding residential land and we believe all surrounding properties should be switched to RLZ as recommended in the Ireneinc report.

Comparable localities accepted for RLZ at the hearing: Ireneinc recommended full ELZ to RLZ transitions for Howden and Blackmans Bay. No questions were asked about these recommendations the hearing, though this does not indicate acceptance by the Commission. My property shares residential characteristics with the surrounding area. 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 B, 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 [specify subcategory A/B/C/D] 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.

I request that the folio of the Register 2 [redacted] at [redacted], Blackmans Bay be included in the Rural Living Zone B in the Kingborough Local Provisions Schedule, consistent with the Ireneinc recommendations.

Signed:	Date:
S. Anderson & B. Anderson	26th April 2026
Full name: Susan Anderson and Brian Anderson	Contact email / phone:

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