
From: David Tiddy (via Google Docs) <[REDACTED]>
Sent: Sunday, 3 May 2026 8:06 PM
To: Kingborough LPS
Subject: Submission Kingborough KPS Direction 69; [REDACTED], Margate ([REDACTED])
Attachments: [REDACTED] - LCZ to RLZ.docx.pdf

David Tiddy attached a document

David Tiddy [REDACTED] has attached the following document:

Hi.

Please find attached document of our submission for RLZ zoning for [REDACTED]
[REDACTED] Margate ([REDACTED]).

Regards,

David and Helen Tiddy

 [REDACTED] - LCZ to RLZ.docx

Does this item look suspicious? [Report](#)

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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 did not make a formal representation during the public exhibition period, however we understand that the Commission has received correspondence from us or on our behalf in relation to the draft LPS and our opposition to LCZ. We understand 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.

To the Tasmanian Planning Commission,

Landowner name(s)	David John Tiddy and Helen Maree Tiddy
Property address	██████████ Margate
Title reference (folio)	██████████
Lot size (approx.)	3.86 ha
Locality	Margate
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Rural Living Zone (RLZ) — [subcategory to be specified]
Position in this submission	Accept RLZ — B

The subcategory we seek for our property is:

- Rural Living Zone B (minimum lot size 2 ha) — the existing lot pattern in our locality is consistent with lots of about 2–5 ha
- This is a typical lot size for properties in ██████████ and nearby ██████████, as noted in the Ireneinc Report and detailed lower.

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 our property.

Our property includes a house constructed in 1980, a large 15m x 7m shed and a stable with attached chicken run.

The primary use is residential.

There is a large 15m x 9m netted garden area that includes eight garden beds to grow vegetables year-round.

We also have an orchard of many varieties of apple trees and a range of other fruits such as pear, plum, apricot, cherry and quince trees.

We have run a flock of chickens since we moved to the property almost 20 years ago and have two pet dogs.

There is the option to one day use some of the cleared grass around the home to run a few sheep or cattle to extend our hobby farm.

There is a working cattle farm on both sides of [REDACTED] less than 1km from our property and a right-of-way road within our boundary provides access to further paddocks for cattle close by on One Tree Hill.

Old farm fences and wire run through our 3.86ha property, so it has a long history of primary production.

We believe we honour that heritage with our ability to “live off the land”.

Such use 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.

Our property satisfies both elements: the primary intention is residential and the RLZ subcategory we are seeking applies a minimum lot size that is consistent with or larger than the current lot size.

[REDACTED] has been a residential property since the house was built in 1980 and has not been used for any other purpose. With a 3.86ha plot size, it is consistent with the RLZ B minimum 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.

Our preferred subcategory — RLZ B — directly reflects the existing lot size pattern in our locality.

The Irenenic report noted the red highlighted area of our property and close surrounds as having:

“... attributes which generally align with the RLZ as they are identified as relatively consistent settlement patterns with lots between 1-15ha that display consistent patterns of detached dwellings and associated buildings. Each of these areas are adjoining other land which is already proposed to be included within the RLZ ... consistent pattern of detached dwellings with associated outbuildings. Visual evidence in aerial mapping of rural activities occurring (i.e. cleared areas providing for resource development/grazing/hobby farming etc).”

Because our property is consistent with this pattern, it supports our submission for 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.

Our property and the surrounding settlements nearby in [REDACTED] and [REDACTED] display all of these characteristics, as noted in the Ireneinc Report:

“These parcels are appropriate for transition from ELZ to RLZ recognising this land as an extension of an existing rural settlement where the land also exhibits similar rural living settlement characteristics in terms of evident pattern of subdivision and pattern of land use.”

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 our property can be managed in this way.

Our property is within a Scenic Protection Area and Biodiversity Protection Area. 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.

As stated in the Ireneinc Report for our property:

“Many of these parcels are identified as having significant landscape values, however it is acknowledged that much of this land is within the Priority Vegetation and Scenic Protection Area mapping which would provide for appropriate management of landscape values which also exist within this area. In considering the RLZ in transitioning the ELZ, it is only appropriate where RLZ categorisation provides for no further subdivision.”

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 we are seeking addresses this risk directly. Under RLZ B, the minimum lot size of 2 ha means that subdivision of our property would, we believe, not be possible. Regardless, we have no intention of seeking subdivision approval and have never countenanced the option since buying the property in 2007.

D3 — The LCZ should not be reinstated

While we support the RLZ recommendation, we are concerned that the Commission may revert to LCZ rather than adopting Ireneinc's recommendation. We 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 our 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 our 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 we vehemently 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.

CONCLUSION AND RELIEF SOUGHT

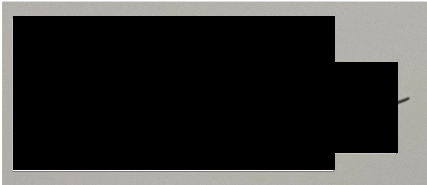
For the reasons set out above, we submit that:

1. The Ireneinc recommendation to include our 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 our 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 our property is RLZ B, which reflects the existing pattern and density of development in our locality under Zone Guideline RLZ 3, and significantly constrains 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.

We respectfully request that the Commission:

- Adopt the Ireneinc recommendation and include our property within the RLZ B in the Kingborough Local Provisions Schedule; and
- Not revert to the exhibited LCZ, which is not supported by the site-specific evidence for our property.
- We request that the folio of the Register [REDACTED] at [REDACTED], Margate be included within the Rural Living Zone B in the Kingborough Local Provisions Schedule, consistent with the Ireneinc recommendation.

Signed:



Full names:

David John Tiddy
Heleen Mare Tiddy

Date:

03/05/1972

Contact email / phone:

