
From: Richard Ziman [REDACTED]
Sent: Thursday, 30 April 2026 10:21 AM
To: Kingborough LPS
Subject: Submission for Landscape Conservation Zone for Oyster Cove
Attachments: Representation to TPC.pdf

Good day

Please find attached a submission for the Landscape Conservation Zone for Oyster Cove.

Regards
Richard Ziman
[REDACTED]


Oyster Cove
7150
Tasmania
20 April 2026

Good day

Representation in favour of Landscape Conservation Zone for Oyster Cove

I would like to make a representation in favour of the Landscape Conservation Zone for Oyster Cove.

Primary Intention of the Zone:

I would like to begin by focussing on the key issue of the primary intention of the zone.

The Environmental Living Zone (ELZ) in its current format couples the provision for residential uses with the protection of the environment and natural values.

The Landscape Conservation Zone (LCZ) provides for the protection of landscape values and complementary development.

The primary intention of the Rural Living Zone (RLZ) is residential development.

There is need to consider the primary intention of residential development in a natural environment. Humans and the environment are both part of nature and therefore should be given equal importance in this context.

Taking this into account a dual intention of equal importance between development and the environment could be considered as two sides of the same coin and be considered as the primary intention.

Applying this to the above zones, I conclude that ELZ and LCZ give equal importance to development and the environment and therefore the LCZ zone most closely aligns with the ELZ. RLZ puts development at a higher level than the environment.

The bulk of the Ireneinc report is about restoring this imbalance if RLZ is adopted by using decision trees, landscape values etc.

Landscape Values:

Landscape values is the key tool used to evaluate the gap between development and the environment.

The Ireneinc report provides a definition of landscape values but also states that individuals have different landscape values. The regulations require public consultation to arrive at a definition of landscape values which hasn't been done, however I am in agreement with the Ireneinc report that because this evaluation is only possible at an individual level, public consultation won't resolve the problem.

Oyster Cove:

In assessing the landscape values of Oyster Cove, the Ireneinc report states that the Scenic Protection Area only applies to a small portion of the Oyster Cove headland. It then adds that existing extensive and prominent development has occurred in the Scenic Protection Area.

There appears to have been a failure of the Scenic Protection Code (SPC) to operate in this case.

The report doesn't consider a remediation of the affected area.

Taking the above into account, no consideration in the report is given to whether the extent of the SPC needs to be increased **before** deciding on the zone.

The area covered by the SPC may have been derived historically and be out of date.

An on the ground survey, which was not done (only a desktop survey) may find the Scenic Protected Area needed to be increased. This may have lead to LCZ as the appropriate zone.

Due to the above there appears be an acceptance of a lower required environmental values standard which more aligns with RLZ.

The report concludes that the increased building height permitted under the RLZ is the solution to this problem.

This is an example where I don't agree with the application of the landscape values. In my opinion building higher buildings are development values not landscape values.

There doesn't appear to be consistency when comparing a similar situation of the SPC in Tinderbox East. In Tinderbox East the SPC also only covered a small area. In TinderBox East the higher building height permitted under RLZ was seen as the key factor operating against the environmental values and the reason this area was recommended for LCZ.

For Oyster Cove building height is seen as contributing to landscape values.

It raises questions about being able to separate the components of landscape values. In

different situations the same factor of building height provides the exact opposite result as to which is the appropriate zone. Differentiation of landscape values into separate components is impossible. Evaluating the combined landscape values together is more complex. Individuals will arrive at different evaluations of the merged landscape values which means inconsistency in the decision of the appropriate zone. This means that this basis cannot be used to evaluate RLZ as an option.

Furthermore, the SPC has appeared to have failed in the Oyster Cove as there is prominent and extensive development in the area covered by the SPC yet the SPC is put forward as the mechanism to ensure landscape values are protected under RLZ.

Despite a failure of the SPC under ELZ, there were other environmental controls in place which have ensured the Oyster Cove remained balanced between the environment and development. Under RLZ the protection codes are a last line of defence.

The protection codes under ELZ and LCZ are used as supplementary enhancements to reinforce the actual environmental protections considered **before** approving a development. Under RLZ these codes have been repurposed to be the primary protection tool. They are a weaker form of protection because they are only triggered after a breach has occurred when it's too late.

Has consideration been given the additional resources and costs the council will need to effectively enforce these protection codes in a timeous process? Will the council need more enforcement on the ground to identify any breaches in the codes early?

Can there be certainty that the protection codes will work in practice? What enforcement of these codes has been done historically?

Has an evaluation been done of how the codes have been breached and actions taken to remedy these situations so that there is certainty these codes, as a last line of defence, will operate as intended without the other protections provided under LCZ?

Most of the locations in Ireneinc report appear to have extensive coverage of vegetation codes with the SPC being the point of difference. The SPC acts as both an indicator of environmental values as well as providing protection for environmental values.

From the above, there is the possibility that neither of these functions of the SPC in Oyster Cove are sufficiently reliable to conclude the RLZ is the appropriate zone for Oyster Cove.

RLZ has a fuel station and workshop as a discretionary application. This would be an over commercialisation of Oyster Cove if approved. Grazing as a no permit required application would result in extensive vegetation clearance. These options are not appropriate for Oyster Cove. As development moves South of Kingston it is likely that residents of Oyster Cove will need to submit regular objections to commercial

discretionary applications if the RLZ, which puts development above the environment, is implemented.

Summary:

- A primary purpose of a balance between the environment and development is the correct option
- I don't agree with the environmental values applied to Oyster Cove for the Ireneinc report to recommend RLZ
- The SPC can't be relied on to correctly identify landscape values for Oyster Cove nor can it be relied on enforce environmental protections
- RLZ allows for land uses which would not be appropriate for Oyster Cove.

For all of the above reasons I request that Oyster Cove be zoned Landscape Conservation Zone in order to ensure the correct balance between development and the environment remains in Oyster Cove now and into the future.

Regards
Richard Ziman