
From: Ben and Mikaela Chudoschnik <[REDACTED]>
Sent: Thursday, 23 April 2026 7:11 PM
To: TPC Enquiry
Subject: CM: Submission —Kingborough LPS Direction 69 - [REDACTED]
Woodbridge
Attachments: Submission pg3.pdf; Submission pg2.pdf; Submission pg1.pdf

To whom it may concern,

Please find attached submission for [REDACTED] Woodbridge. Title ref : [REDACTED]
Please don't hesitate to contact me if you have any questions or concerns.

Kind regards

Ben Chudoschnik
[REDACTED]
Peppermint Ridge Retreat

[REDACTED]
Woodbridge, Tasmania 7162.
www.peppermintridge.com.au

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 be included within the Rural Zone (RZ) under the draft Kingborough Local Provisions Schedule (LPS), rather than remaining in the Landscape Conservation Zone (LCZ) as exhibited. I previously made a representation on the draft LPS. I understand that my representation has not yet been heard and will be heard at a future hearing. I understand that this letter provides me the opportunity to make a further written submission in relation to the Ireneinc recommendations, and that I may speak to this submission when I appear before the Commission. I take up that opportunity and submit as follows.

Landowner name: Benjamin Adrian Chudoschnik and Mikaela Justine Chudoschnik

Property Address: [REDACTED] Woodbridge

Title Reference: [REDACTED]

Lot size: 2.8ha

Locality: Woodbridge

Current IPS zone: Environmental Living

Draft LPS exhibited zone: Landscape Conservation Zone

Ireneinc recommended zone: Rural Zone

Position in this submission: Accept RZ recommendation – fortify against LCZ reversion

I support the Ireneinc recommendation that my property be included within the RZ under the draft Kingborough Local Provisions Schedule. The RZ is a significantly more appropriate zone for my property than the LCZ as exhibited. I make this submission to provide the Commission with property-specific evidence supporting the RZ recommendation and to ensure the Commission has a complete picture before making its final determination. I submit that the RZ is the correct zone for my property under 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), and the Southern Tasmania Regional Land Use Strategy (STRLUS). I ask that the Commission adopt the RZ recommendation and not revert to the exhibited LCZ.

My property is used for hobby farming and a combination of other rural uses. For over 25 years the apartment building on the property has been used as a registered Farm Stay short term tourist accommodation. The property is used for poultry (chicken and turkey) grazing and occasional pig raising. The property has many fruit and nut trees, three large vegetable plots and large cleared spaces. The Rural Zone clearly reflects the existing and intended use of the land.

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. I submit that the RZ recommendation satisfies these criteria for my property. Zone Guideline RZ 1 provides that the RZ should be applied to land in non-urban areas with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics, and which is not more appropriately included within the LCZ or EMZ for the protection of specific values. My property satisfies this criterion. It is in a non-urban area, has limited or marginal potential for intensive agriculture, and does not have specific landscape values of the kind or significance that would justify LCZ.

My property of 2.8ha is in a rural setting and has been used for hobby farming and short term tourist accommodation for decades and is not included in the Land Potentially Suitable for Agriculture Zone. The topography and soil characteristics mean intensive agriculture use is not viable.

Zone Guideline LCZ 4(a) states that the LCZ should NOT be applied to land where the priority is for residential use and development. The Zone Guidelines also note that the LCZ is not a replacement for the ELZ and is 'not a large lot residential zone'. The exhibited LCZ application to my property was inconsistent with these guidelines —a point the TPC itself recognised in its post-

lodgement correspondence with Council. The existing use and character of my property is consistent with the RZ purpose, which provides for a range of use or development in a rural location where agricultural use is limited or marginal, and that minimises adverse impacts on surrounding uses. My property is partially cleared, is used for hobby farming of animals, fruit and vegetables, a portion of which (Eggs, Tomatoes, Mushrooms, Greens, Jams and other seasonal products) is used for guests at our "Peppermint Ridge Retreat" accommodation. There are multiple structures on the property including our residence, outbuildings and two short term holiday apartments.

The RZ application is consistent with surrounding properties and the broader rural character of the area. My property and its use are not materially different from the adjacent RZ land. The surrounding properties also have cleared farmland and mixed rural uses. My property's character is consistent with this surrounding context.

I note and support the reasoning applied by Ireneinc in recommending RZ for my property. The Ireneinc methodology considered the existing settlement pattern, landscape values, and surrounding zoning context. For my property, the correct conclusion is that RZ is more appropriate than LCZ. The Ireneinc report recommends [REDACTED] to transition from the ELZ to the Rural Zone - which is reflective of existing uses occurring and previously directed modifications and results in a zoning pattern which does not isolate or fragment the LCZ.

I am concerned that the Commission, in making its final determination, might revert to the exhibited LCZ rather than adopting the RZ recommendation. I wish to place the following matters on the record to ensure this does not occur.

D4.1 —LCZ was historically over-applied by Council

The Ireneinc report documents that approximately 85% of ELZ parcels were originally proposed for LCZ—a proportion the TPC itself found to be excessive and inconsistent with the Zone Guidelines. The TPC noted in post-lodgement correspondence that 'often when assessing particular sites the zone proposed does not seem to match these criteria' and that 'decisions often appear inconsistent with surrounding land.' The reduction to 75% and then further through the Ireneinc process confirms that the initial LCZ application to my property was not well-founded.

D4.2 —The Commission confirmed LCZ is not binding on the TPC

At Day 20 of the hearing, Chair Nick Heath confirmed that the Commission will decide on the basis of section 34 LUPAA criteria, and that Council's 16 March 2026 resolution—which favoured the 'least restrictive alternative'—is not binding on the Commission [Transcript, Day 20, 06:45:48]. The Commission is therefore free to adopt the RZ recommendation regardless of Council's exhibited preference for LCZ.

D4.3 —Any landscape values can be managed through overlay controls

Where landscape values exist in the broader locality, they can be managed through overlay controls—the Natural Assets Code (NAC), Priority Vegetation Area (PVA) overlay, and Scenic Protection Code (SPC)—without the need for LCZ. No questions were raised about this at the hearing, though this does not indicate acceptance by the Commission. This argument was presented at Day 20 [02:33:54]. These controls apply regardless of zone and do not require LCZ to be effective.

The overlays and codes that apply to my property are active regardless of the zone and are sufficient to manage any landscape values without LCZ.

The Ireneinc report clearly determined that [REDACTED] and the line of properties surrounding it were identified as having existing rural activities and limited landscape values compared to the balance. This importantly avoids fragmentation in the [REDACTED] cluster.

For the reasons set out above, I submit that:

1. The Ireneinc recommendation to include my property within the RZ is correct and is consistent with the Zone Guidelines (Guideline No. 1) and the requirements of section 34 of LUPAA.
2. The RZ is a significantly more appropriate zone for my property than the exhibited LCZ, which was inconsistent with Zone Guideline LCZ 1, LCZ 4(a), and the statutory requirement that LCZ be supported by site-specific landscape value identification.
3. The property-specific evidence set out above confirms that the characteristics of my land —its existing use, land cover, rural character, and surrounding zoning context —are consistent with the RZ purpose and application guidelines.
4. Any landscape values in the broader locality can be appropriately managed through existing overlay controls without resort to LCZ.

I respectfully request that the Commission

-adopt the Ireneinc recommendation and include my property within the RZ in the Kingborough Local Provisions Schedule and

-not revert to the exhibited LCZ, which is not justified by the evidence specific to my property.

I request that the folio of the Register [REDACTED] at [REDACTED] Woodbridge, be included within the Rural Zone in the Kingborough Local Provisions Schedule, consistent with the Ireneinc report.

Signed:

[REDACTED]

23.4.26

Benjamin Adrian Chudoschnik

[REDACTED]

[REDACTED]

23.4.26

Mikaela Justine Chudoschnik

[REDACTED]