
From: Vince Taskunas [REDACTED]
Sent: Sunday, 3 May 2026 3:52 PM
To: Kingborough LPS
Cc: Kingborough Land Users Body KLUB
Subject: Submission, Kingborough LPS Direction 69 — [REDACTED] Tinderbox
Attachments: SUBMISSION Taskunas [REDACTED] 3 May 2026 FINAL 030526.docx

Dear Tasmanian Planning Commission

Please find attached our submission to the Kingborough LPS process

sincerely

Vince and Anne-Marie Taskunas

Landowner name(s)	Vince John and Anne-Marie TASKUNAS
Property address	[REDACTED] Tinderbox
Title reference (folio)	[REDACTED]
Lot size (approx.)	2.44 ha
Locality	Tinderbox
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Ireneinc recommended zone	Landscape Conservation Zone (LCZ) — unchanged
Zone sought in this submission	Rural Living Zone (RLZ) — Subcategory B

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Vince Taskunas
m: [REDACTED]

By email: KingboroughLPS@planning.tas.gov.au

SUBMISSION: Tasmanian Planning Scheme, Kingborough draft Local Provisions Schedule, Kingborough Council response to TPC Direction 69 (“Ireneinc report”).

Dear Tasmanian Planning Commission,

We write in response to the letter received from Tasmanian Planning Commission (TPC) Chair Nick Heath, dated 2 April 2026, ref: DOC/26/36829. Thank you for contacting us directly and providing the information in the letter, including that the *Ireneinc* report recommends our property remains within the Landscape Conservation Zone (LCZ) under the draft Kingborough Local Provisions Schedule (LPS).

We appreciate the opportunity to formally participate in this stage of the LPS process by making this submission to the Commission on the Ireneinc report’s recommendation for our property, as affected landowners. We are also one of the landowners in Tinderbox who have jointly lodged a collective submission titled *Tinderbox Road East Neighbourhood* and dated 3 May 2026.

While we did not make an individual formal representation during the LPS public exhibition period, another representor included a ‘landowner statement’ on our behalf, in relation to the draft LPS. This is noted in the Ireneinc report, page 188, as representor 198.705: [REDACTED]
[REDACTED] We opposed the application of the LCZ to our property and requested an alternative zoning as Rural Living Zone (RLZ). This remains our position, as outlined in the following submission. We argue that RLZ, not LCZ is the appropriate zone for our property.

Vince and Anne-Marie Taskunas

A. Landowner and Property Details

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B. Statement of position:

We do not accept the proposed application of the Landscape Conservation Zone (LCZ) to our property, firstly as part of the exhibited draft Kingborough LPS and then retained as part of the LCZ Review undertaken by Ireneinc. It does not align with requirements of section 34 of the *Land Use Planning and Approvals Act 1993* (LUPAA). The application of LCZ to our property does not follow the TPC's *Guideline Number 1 - Local Provisions Schedule (LPS) Zone and Code Application*, made under Section 8A of LUPAA (the Zone Guidelines); and it does not have regard to the *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS).

In addition, the application of LCZ to our property at [REDACTED]

- X fundamentally mismatches the purpose and application of the Landscape Conservation Zone with the residential use priority and rural living attributes of our property specifically, and that of our neighbourhood more widely, and fails to follow the Zone Guidelines for the Rural Living Zone;
- X has relied on generalised, subjective judgements about 'landscape values' and 'risk' which have not been able to be justified, without regard to the STRLUS in relation to defining these values, and ignores that any values present can be appropriately managed through the application and operation of the relevant codes;
- X fails to satisfy key elements of the LUPAA Schedule 1 Objectives, Part 1 (1) (b): "*To provide for the fair, orderly and sustainable use and development of air, land and water*" and Part 2: "*to promote the health and wellbeing of all Tasmanians*" because the zoning is unfair, and has caused serious anxiety and stress for landowners;
- X is in stark contrast to the widespread application of the RLZ to a significant number of other properties in adjoining settlements and localities, despite these properties having the same or near-identical attributes as our property – including the other half of Tinderbox itself! - and
- X will lead to a range of further serious impacts on us as landowners, when the application of the alternative zone together with the existing codes/overlay controls will achieve the required risk management and will avoid these negative impacts.

For these reasons, we respectfully request that the Commission determines that the Rural Living Zone (RLZ) is the appropriate zone for our property under the draft Kingborough LPS.

The specific subcategory we seek is:

- Rural Living Zone B (minimum lot size 2 ha) – the predominant lot size in Tinderbox is approximately 2-3 ha, consistent with RLZ [B]. This also reflects the existing lot pattern in our neighbourhood and that we have no desire or plan to subdivide our property now, or at any time in the future.

C. Our Property: [REDACTED]

The eastern side of Tinderbox: Tinderbox was gazetted sixty-five years ago in 1961, signalling an early residential intention for the locality. One of the earliest subdivisions of eight lots was completed by the Hale family, on the eastern side of Tinderbox in 1968 – where the lots around [REDACTED] are today.

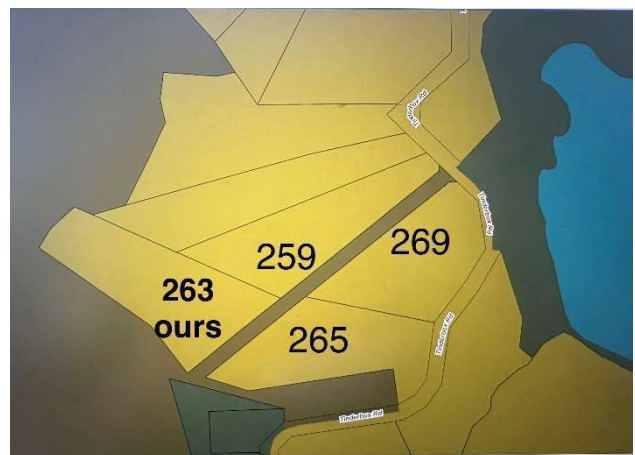
From the 2000s, existing larger lots were subdivided into smaller 2-3 ha lots, taking a ‘low-level infill’ approach with a specific strategic purpose to provide a mixed rural living option: for residential use at lower densities, with larger spaces to support additional rural activities like gardens or hobby farming with a “bush living feel”. Our property is one of these lots.



Figure 1: Our property is part of a cluster of four properties that share the same driveway access directly off [REDACTED]: see figure 1, house areas marked in pink.

Our property (2.44 ha) is the highest lot of the group, at the top of the shared driveway (see figure 2)

Figure 2:



The other three are [REDACTED] (2.02 ha), [REDACTED] (2.13 ha) and [REDACTED] (2.04 ha).

Much higher, above our top boundary, heading up the hill are two large lots, both approx. 62 ha each: first to the west is a private freehold, then to the north-west, the “Tinderbox Hills” nature reserve.

With strips of mixed vegetation along the edge of the formed gravel driveway and along the bottom of the property (see figure 3), visually from the road and from other properties, the home appears nestled among the trees: in reality, much of the property is cleared, and it has suffered in the recent drought-like conditions with the cleared areas staying yellow-brown for most of the year, and a number of prickly box, wattle and gum trees dying back.

Our house (see figure 4): is a single-level, low impact-designed building which sits lengthways north-south towards the top of the lot, facing out towards the east and located at approximately 130m above sea level.

The original owners built the house in 2002; we purchased it from them in April 2015 and we have lived here since then. The house (see figure 4) is single-level and constructed using darker colours and natural timbers, designed within the codes to minimise its impact on landscape or scenic values – which it achieves well. Looking back down the driveway towards the water, you can see the narrow mixed vegetation belt between our lower boundary and our neighbours [REDACTED] (see figure 5).

Figure 3



Figure 4



Figure 5



There has been a continuous priority for residential use for the last 24 years, with lower level rural activities also undertaken over that time at our property, including: grazing a small number of sheep; keeping chickens in a shed and fenced run; small vegetable and flower gardens; as well as regular property maintenance, fire hazard reduction with several outbuildings on the property including carport, wood shed and mowing/garden shed (see figure 6 – current view of cleared garden area and chicken shed/garden shed in cleared grassed areas below the house).

Figure 6



There's a strong "residential feel" in our cluster of smaller lots

Several other properties are located directly adjoining to our cluster which gives our local area a strong "residential feel" as the lower houses and outbuildings are visible across the neighbouring boundaries in many places. This is because the properties are virtually fully cleared around the houses with only small patches of vegetation on some sections, usually around the boundaries.

Tinderbox Road functions as a residential arterial road

Importantly, the link between all the properties is the access from [REDACTED], which is sealed on the eastern side and functions as a residential artery road, making our neighbourhood a contiguous group. And [REDACTED] continues all the way around and through to the western side of Tinderbox – including a significant unsealed section - until it terminates at its junction with Brightwater Road, in Howden.

Landscape character: mix of mainly cleared land with some remnant bushland

The landscape character on our title is a mix of these cleared areas for residential/rural living, with some remnant bushland surrounds. This vegetation is best described as patches of a mix of larger and smaller eucalypt trees (with some standing dead trees, previously fire or drought-affected), some incursions of radiata pines, an understory of smaller trees and shrubs like wattles, she-oak, native cherry and prickly box, and then grassy bushes like Poa tussocks and Sagg, as well as bracken fern and weeds like blackberry and Scotch thistle.



Figure 7

Substantial forest communities supporting threatened species not found on our property

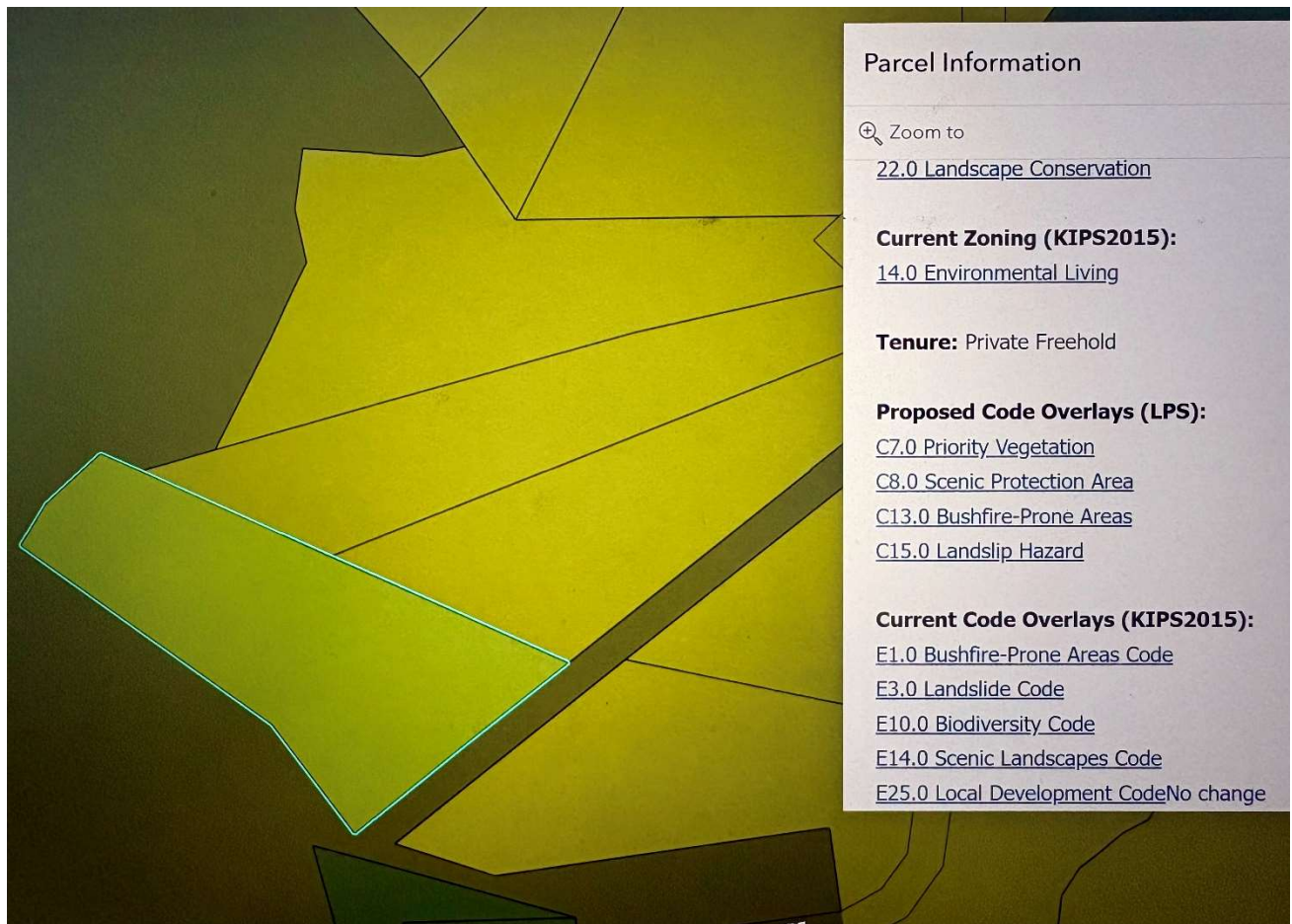
The important and significant vegetation communities (see figure 7) are in the “green belt” of the 62 ha Tinderbox Nature Reserve (“Tinderbox Hills”) and in the heavier vegetated land surrounding the ridgeline in the centre of the peninsula at the higher elevations (pink marked area). – much higher than any of our properties, and at significant distances in most cases to our property boundaries and the cleared residential lots down along [REDACTED] (yellow marked area). There’s a few remnant eucalypts, with some radiata pines as well, scattered across our property, but not the type of heavier gum forest found at the higher elevations, that supports the endangered species.

All our neighbours are absolutely aware of the importance of the flora and fauna and we all play our part to take care of the local environment: that’s part of the reason why we made the residential lifestyle choice we did.

Our property has been recommended as LCZ, despite existing codes

Under the current Kingborough Interim Planning Scheme (KIPS), our property is subject to E10.0 Biodiversity Code, E14.0 Scenic Landscapes Code, E25.0 Local Development Code; **under LPS, it will be subject to C7.0 Priority Vegetation overlay and C8.0 Scenic Protection Area (see figure 8).** As per the TPC’s Zone Guidelines, we argue that any values at our property can be appropriately managed through the application and operation of these relevant codes, without the need to resort to the overly restrictive LCZ.

Figure 8:



D. Arguments to support our submission

D1: Fundamentally, our property satisfies the Zone Guidelines for RLZ, the zone we are seeking:

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 (such as hobby farming), and where priority is given to residential amenity.

Zone Guideline RLZ 2(b) further provides that the RLZ may be applied to land within the Environmental Living Zone (ELZ) in an interim planning scheme where the primary strategic intention is for residential use and development within a rural setting, and a similar minimum lot size is applied.

Our property satisfies both criteria. The characteristics described above in Section C demonstrate that our property is part of an established residential settlement pattern, a lot size consistent with RLZ [B] – with a minimum lot size of 2 ha and does not provide for further subdivision under that subcategory – a primary use and intention that is residential within a rural setting, and a mix between residential and lower-order rural activities (such as hobby farming).

Our property has the characteristics of a rural living settlement as per the Ireneinc framework which identifies rural living settlement characteristics as: 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 (cleared areas, hobby farming, grazing etc.). The Ireneinc report's own locality baseline confirms that the broader settlement of Tinderbox in which our property sits displays these characteristics.

Our property is situated within a cluster of four homes, part of a broader group of 21 properties along [REDACTED], between [REDACTED]. Lot sizes in this part of the neighbourhood range from 2 ha, to 5.5 ha, the majority being between 2-3 ha, with a few larger lots. By way of example, of the 21, eighteen lot sizes are all between 2 ha-2.8 ha.

The settlement pattern is consistent and our smaller cluster has been established since 2002. Neighbouring properties contain detached dwellings with associated rural living activities including hobby farming, dams, native plant gardens, vegetable gardens, small number grazing, orchards, hay production, local weed reduction, fuel reduction and firefighting equipment.

D2: In contrast, LCZ is not the right zone for our property – it is not for land with a residential use priority:

Applying the LCZ to our property is a fundamental mismatch of the purpose and application of that zone, and does not follow the *TPC's Guideline Number 1 - Local Provisions Schedule (LPS) Zone and Code Application (the "Zone Guidelines")*. It ignores the long-standing residential use priority and rural living attributes of [REDACTED]

The Zone Guidelines state explicitly that the LCZ *"is not a large lot residential zone" and "is not a replacement zone for the Environmental Living Zone in interim planning schemes."* The Guidelines state that, unlike the RLZ, the LCZ *"provides a clear priority for the protection of landscape values, with residential use largely being discretionary" and "...should not be applied to land where the priority is for residential use."*

Applying a zone with this purpose, to land primarily used and intended for residential purposes is, by the Guidelines' own terms, inappropriate. Our property has been used for residential purposes throughout the period it has been zoned Environmental Living Zone (ELZ) under the Kingborough Interim Planning Scheme 2015.

The first decision point in the Ireneinc evaluation pathway asks whether there is a strategic intention for residential use. The report identifies visual evidence of existing residential use and known strategic intention as the relevant indicators. Our property satisfies this criterion.

During our tenure, the primary use and strategic intention of the land is, and has always been, residential. Our property contains an established dwelling constructed in 2002, cleared areas, associated outbuildings including a carport, garden shed, wood shed, fencing, solar panels, three large water storage tanks, a dam and firefighting water pump, and has been continuously occupied as a residence. Aerial photography (figure 9) of the house over 10 years confirms the consistently residential character of the property.'

Figure 9:



Our land is mainly cleared, it is already developed and like ours all the surrounding lots have residential homes on them. The LCZ is a zone intended to manage large, undeveloped landscapes, as part of a suite of zones with the Environmental Management Zone (EMZ). To apply it to our property in a small-lot cluster where the long-established priority has been for low-density residential use, simply disregards the purpose of the Rural Living Zone, and its appropriate application to existing rural living settlements like ours.

D3: The LCZ recommendation for our property now makes us part of an “isolated pocket” in Tinderbox and is contrary to the Guidelines’ consistency principle:

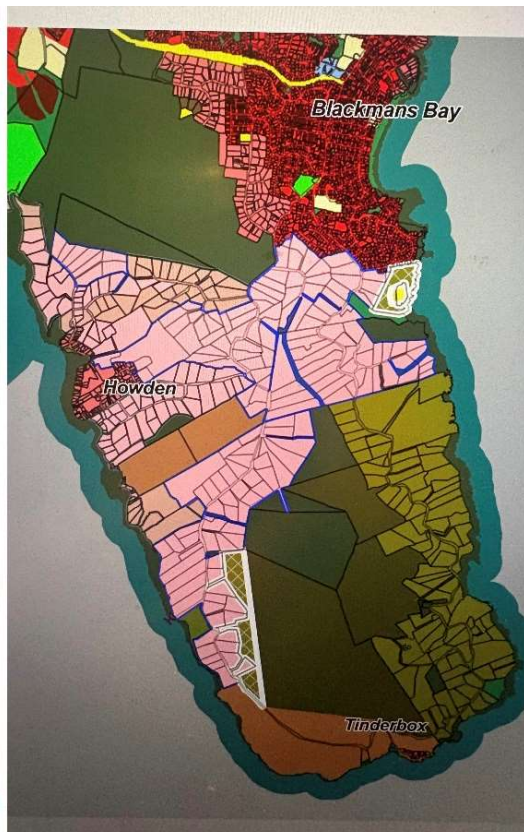
If our property receives a different zone outcome from others connected to ours — or from some surrounding land — the result will be a fragmented and inconsistent zone pattern. This would be contrary to the Zone Guidelines, which require that the spatial application of zones be, as far as practicable, consistent and coordinated across the LPS.

The Ireneinc report itself identifies avoidance of fragmented zone application as a key principle. It is important to note that the changed recommendations in the Ireneinc report for LCZ properties in the Tinderbox and Howden/Blackmans Bay localities converted a substantial number of property titles from an initial zoning of LCZ, to RLZ. But it didn't include the properties on the eastern side of Tinderbox, including our property, leaving “an isolated LCZ pocket” on the southern half of the eastern side (see the comparison between figure 10 and 11) – noting a significant number of lots at the Blackmans Bay or “northern” end of Tinderbox were also changed from LCZ to RLZ, squeezing this “pocket” even more.

Figure 10



Figure 11 (light green “isolated LCZ pocket”)



(sourced from Kingborough Council interactive map, screenshots, accessed 29/4/26):

Figure 10 and 11 show Tinderbox and adjoining communities of Howden and Blackmans Bay proposed zones – figure 10 is the original exhibited draft LPS; and figure 11 is with changed zone recommendations after the Ireneinc review (RLZ lots are in pink, LCZ in light green). An artificial split between the west and east zoning is clearly shown here.

The proposed zoning outcome effectively divides a single peninsula into two different zones without a clear spatial or strategic basis: The eastern and western sides of Tinderbox are not separate settlements – they are part of one continuous settlement pattern structured along a single access corridor () and sharing the same landscape setting.

Applying different zones to different sides of the same peninsula introduces an arbitrary boundary that does not reflect land use, settlement pattern, or landscape character, and is therefore inconsistent with the requirement for coordinated and logical zone application.

Ironically, the Ireneinc report recommendation to keep our property as LCZ, if adopted will leave us as part of an isolated minority pocket of LCZ within a now-predominately RLZ area: figure 10 shows this very clearly. It may have joined up the previously scattered small RLZ sections, but it has achieved this by transitioning a much larger number of previous LCZ properties, to RLZ.

D4: Our property has not been treated the same way as others with similar characteristics in Kingborough. When compared, it supports an RLZ outcome for our property

The Tasmanian Planning Commission is required under section 34(2)(g) of the *Land Use Planning and Approvals Act 1993* (LUPAA) to ensure that the spatial application of zones is, as far as practicable, consistent and coordinated. This means the Commission must consider whether our locality has been treated the same way as localities with similar characteristics elsewhere in Kingborough.

The Ireneinc report recommended full ELZ to RLZ transitions for a number of localities, including Kettering East and Oyster Cove, Howden and Blackmans Bay, Albion Heights, and Tinderbox West. The characteristics of those localities – established residential settlement, rural living lots generally between 1 and 5 ha (with a few larger lots), mixed residential and rural activities, limited evidence of significant landscape values requiring LCZ protection, and similar overlay/code coverage – these are shared by our property.

Ireneinc recommended RLZ for Howden and Blackmans Bay and that recommendation was not challenged at the Day 20 Kingborough LPS hearing. There is no clear basis for treating our property differently. We request that the Commission apply the same reasoning here.

Importantly, this inconsistency occurs within the same peninsula, where properties with near-identical characteristics are treated differently based solely on their position on the eastern or western side of Tinderbox. Our properties along Tinderbox Road on the eastern

side are directly comparable to properties in Tinderbox West where RLZ was recommended, over previous LCZ.

With such proximity to another RLZ area, there is no principled basis on which to treat our properties differently.

D5 — Clarence City Council's zoning treatment of comparable neighbourhoods: a comparable council's zoning supports RLZ outcome for our property:

How does Clarence City Council treat similar localities and neighbourhoods?

On the scenic side of the South Arm peninsula, there's a number of larger lots with size, rural living attributes, scenic landscape values, remnant vegetation and settlement pattern comparable to our Tinderbox Road East neighbourhood – they have been zoned RLZ. For example: properties in Driftwood Drive, Opossum Bay; and Fort Direction Road, South Arm.

The southern part Tranmere has large areas of land on the higher slopes to the ridgeline zoned LCZ – but there are no existing residential settlements on this land.

Two Clarence localities where there are established residential settlements in similar lot sizes with rural living attributes, together with lower order rural activities, hobby farming and in many cases, animals such as horses, sheep, goats and alpacas:

- ✓ Acton (where there is a lot more completely cleared land) and
- ✓ Mt Rumney (where there is plenty of vegetation on many properties).

These properties have also been zoned RLZ.

There is no principled basis on which to treat our property differently.

D6: The overlay 'does the landscape-protection work', not the zone: there are sufficient mechanisms in the planning scheme to provide for the appropriate management of existing landscape values such that the RLZ is an appropriate alternative zone

The Ireneinc report (page 195) says of the eastern Tinderbox properties, including ours, in determining that our properties should retain the LCZ: *"...no other available zone could appropriately manage the identified risks to the landscape values."*

But in relation to determining recommended zoning in the adjoining "Howden and Blackmans Bay" locality, the same Ireneinc report (page 219) says: *"Considering the landscape values which exist on these parcels, there are sufficient mechanisms in the planning scheme to provide for the appropriate management of existing landscape values such that the RLZ is an appropriate alternative zone..."*

Zoning our property as LCZ is not necessary; we argue that any values at our property can be appropriately managed through the application and operation of the relevant codes and overlays that are proposed to apply to our property in the proposed LPS, as shown in Figure 8.

The values present are already protected by overlay controls. The Commission itself accepted this argument in relation to the Kettering West locality during the LPS Day 20 hearing on 15 April 2026, where the panel effectively found that a Priority Vegetation Area (PVA) overlay 'does the landscape-protection work', not the zone [Transcript, Day 20, 02:33:54]. We don't want the further restrictions on our property that the LCZ brings.

D7 — “High” risk to landscape values is speculative, not evidence-based

The “medium” or “high” risk to landscape values at our property identified – in sweeping, generalised, subjective terms - by *Ireneinc* is not supported by evidence of actual landscape harm. As confirmed during the Day 20 hearing, no analysis has been undertaken identifying examples of inappropriate development compromising landscape values [00:38:31–00:38:50]. Rather, the assessment is based on a theoretical capacity for future development (such as increased building height) to occur.

At the Day 20 hearing, the low/medium/high risk ratings applied by *Ireneinc* to LCZ recommendations were described as “judgement calls”, not defined thresholds. *Ireneinc*'s position was that these ratings are “a rule of thumb” only.

This is a speculative risk. It is not grounded in observed outcomes, empirical evidence, or demonstrated planning failure. The application of a highly restrictive zone such as the Landscape Conservation Zone on this basis is disproportionate and inconsistent with an evidence-based planning approach.

The *Ireneinc* report rates the transition of land in the eastern part of Tinderbox to RLZ as high risk. I submit that this rating does not accurately reflect the characteristics of our individual property for the following reasons: we already have our house built by design single-low-level, low-impact; there is no appetite to construct higher than code, and the overlays will provide sufficient controls to manage future risk; there is no evidence of any inappropriately high buildings compromising landscape values, or any unnecessary damage to or destruction of flora or fauna on our property in nearly twenty-five years of continuous residential use.

One way to mitigate a perceived risk of intensification through further subdivision is to use the subcategories in the RLZ as controls. The RLZ subcategory can provide for limited or no further subdivision. The *Ireneinc* framework identifies as a key RLZ suitability indicator that the transition '*would result in limited/no further subdivision*' and that '*a similar minimum allowable lot size is being applied.*'

Applying RLZ [B] to our 2.44 ha property achieves this outcome, as the minimum lot size of 2 ha under that subcategory is consistent with the existing lot size and does not create a viable subdivision pathway, addressing any concern about intensification.'

D8: No agreed set of criteria on landscape values as per STRLUS, no risk analysis undertaken, no community consultation on values

Council and Ireneinc rely on policies in the *Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS)* to justify applying LCZ to ELZ land, in preference to RLZ - using STRLUS policies CV 4.2 and CV 4.3 to argue that LCZ is necessary, to ensure the key values of regionally significant landscapes are not compromised by development.

But **STRLUS CV 4.1** requires State and local government, in consultation with the community, to first agree a set of criteria for determining the relative significance of these important landscapes and key landscape values. The significance of the landscape values Council seeks to protect through LCZ must first be established through that agreed criteria process. There has been no community consultation on landscape values in Kingborough.

The landscape significance determinations underpinning the LCZ recommendations were made by Council and Ireneinc without community input on the criteria used, so they are not "...consistent with the regional land use strategy, if any, for the regional area in which is situated the land", as per LUPAA s 34(2)(e).

The community's assessment of these landscapes, as expressed in exhibition representations, consistently identified residential use as the primary land use and the Scenic Protection, Priority Vegetation and Natural Assets codes as adequate for landscape value protection. That is the only available community evidence on the significance question.

D9: LUPAA references to fairness, and health and wellbeing.

The recommendation of LCZ for our property fails to further key objectives of the *Land Use Planning and Approvals Act 1993 (LUPAA)*, *Schedule 1 Objectives* – for example, *Part 1 (1) (b): "To provide for the fair, orderly and sustainable use and development of air, land and water"*

In considering the LUPAA fairness objective it would not be fair to consider someone's existing home of 25 years less important, than a landscape - as does LCZ. It would not be fair to change the rules for a residence, which was built in compliance with existing planning rules in 2002, to a set of discretionary rules where a rebuild of that home (after a bushfire for example) would be discretionary, leading to stress-inducing uncertainty and risks to insurability and negative impacts on asset values.

In considering LUPAA *Schedule 1 Objectives part 2 (f) 'to promote the health and wellbeing of all Tasmanians...'* To have introduced the uncertainty of a zoning which now includes a discretionary process relating to one's home and what, in many cases, represents the entirety of a life's savings and efforts, has led to unprecedented and ongoing increased anxiety and stress levels which can already be seen on so many neighbourhood members who have been affected by this process.

We are not opposing landscape protection. We are opposing our home and way of life becoming subject to zoning which reduces certainty about our land uses and replaces them with discretionary processes, and unfairly replaces our neighbourhood's long-established residential use priority, with a priority on landscape conservation.

D10: The LCZ is not a replacement zone for the ELZ

The Zone Guidelines state expressly: "*The LCZ is not a replacement zone for the ELZ in interim planning schemes. There are key policy differences between the two zones.*"

There's a clue in the names: "Conservation" versus "Living".

The TPC itself noted in its post-lodgement correspondence with Kingborough Council, observing in the initial draft LPS that the LCZ "*appears to have been used quite extensively to replace the ELZ*" and that "*application of the LCZ could signify a shift in council policy or strategy, which generally ought to be comprehensively justified.*"

No such comprehensive, site-specific justification has been provided to me for my property. The Ireneinc report applies the LCZ to my property on the basis of subjective, generalised, locality-level landscape values, not on the basis of demonstrated landscape values specific to my title. The *Ireneinc Locality Report* says nothing about the characteristics of my individual property.

D11: RLZ properties similar to ours; supports RLZ, not LCZ for our property

The Ireneinc report recommended full ELZ to RLZ transitions for a number of localities, including Kettering East and Oyster Cove, Howden and Blackmans Bay, Albion Heights, and Tinderbox West.

Many of the properties on the western side of Tinderbox and in Howden have virtually identical lot sizes and settlement character, and landscape values, to our property. These are either existing RLZ land (for example, some lots in Brightwater Road) or are within the LCZ to RLZ transition areas recommended by Ireneinc for Blackmans Bay (for example 33 Estuary Drive 2.04 ha, [REDACTED] 2.04 ha, and [REDACTED] Road 2.35 ha – all in the Blackmans Bay locality).

Properties on the western side of Tinderbox, along Tinderbox Road and previously exhibited as LCZ, have now also been recommended by Ireneinc to transition to RLZ (for

example: [REDACTED]

[REDACTED] 2.0 ha).

We argue that our property is virtually indistinguishable from these properties on the western side of Tinderbox in average size and character, settlement pattern, residential priority use with lower order rural activities, rural living attributes and similar landscape context, formed driveways and fencing etc. These are the properties that have now been recommended for RLZ, while our property remains recommended as LCZ. **Ours should also be recommended for RLZ.**

The Zone Guidelines require that the spatial application of zones be, as far as practicable, consistent with and coordinated across the LPS. Where neighbouring properties with substantially similar characteristics have been recommended for RLZ, the application of LCZ to our property is inconsistent and not supported by evidence of any material difference.

D12: Ireneinc representatives or the TPC panel's own statements at the Day 19 and 20 hearings support RLZ for properties like mine

Kate Hecklemann, senior planner at Ireneinc – codes can manage landscape values (Day 19 - 02:21:26):

"...the scenic protection area code, the natural assets code, could also be mechanisms to appropriately manage those values."

This was in relation to the role of the Natural Assets Code and Scenic Protection Code. Ms Hecklemann then went on to be critical of the Council's treatment of codes in their original zoning, saying it had made a:

"...pretty global determination of limitations of the application of the rural living zone" that had "ruled out the ability of scheme provisions to consider how scheme provisions might appropriately manage landscape values."

We argue that, as per the TPC's Zone Guidelines, the values can be appropriately managed through the application and operation of the relevant codes, within without the need to resort to the overly restrictive LCZ.

Kate Hecklemann – Natural Assets Code provides controls not dissimilar to LCZ (Day 19 - 02:25:21)

Ms Hecklemann then made a direct comparison between the Natural Assets Code and LCZ vegetation protections:

"...and the standards of that code, of the natural assets code, would provide controls that are not dissimilar to some of the landscape protection controls which are available in the landscape conservation [zone] provisions."

This supports our Submission's argument that the values can be appropriately managed through the application and operation of the relevant codes.

Commissioner Rohan Probert – noted the inconsistent zoning of near-identical localities [01:07:00 – 01:07:50]:

“...the description of Howden fits very similarly with the description for Tinderbox. So we're taking about bushland, we're talking about coastal settings, all those sorts of things.”

He directly identified that landscape values descriptions for the eastern part of Tinderbox and Howden are near-identical, yet produced opposite zone outcomes, asking *Ireneinc* to identify the actual difference between those two.

This supports our argument that our property should also be zoned RLZ, like those in Howden.

Delegate Dan Ford – suggested codes could manage risk [00:35:20 – 00:35:37]

“Specifically, what cannot be managed through those codes?... what cannot be managed through those codes for the eastern side of the peninsula?”

It supports our Submission that the application of LCZ is not necessary where the code-based mechanisms already exist and that specifically in our neighbourhood of Tinderbox Road East, as per the TPC's Zone Guidelines, the values can be appropriately managed through the application and operation of the relevant codes.

Delegate Dan Ford - no examples of inappropriately high buildings that have compromised landscapes [00:38:31 – 00:38:50]

“Have you done any analysis of finding any examples of inappropriately high buildings that have compromised landscapes?”

Ireneinc did not answer the question directly but confirmed that the assessment was based on potential risk, rather than evidence of actual harm.

This demonstrates the LCZ recommendation is based on speculative future scenarios with no evidence of landscape damage requiring stronger zoning controls.

Delegate Dan Ford – LCZ “arguably inappropriate” [00:39:06 – 00:39:31]

“...if this area is deficient from having a scenic landscape code...wouldn't it follow that you put the scenic protection code on there rather than put arguably an inappropriate zone...?”

This shows the LCZ is being used as a substitute for missing controls, rather than as a genuinely appropriate zone, and that the threshold for applying LCZ has not been supported by evidence.

D13: Council's approach to the application of LCZ has been historically inconsistent

The *Ireneinc* LCZ Review report documents a significant evolution — and inconsistency — in Council's approach to the application of the LCZ to ELZ land. At the time the draft LPS was first submitted to the TPC in 2020, approximately 85% of ELZ parcels were proposed for LCZ.

The TPC noted that this approach was often inconsistent with the Zone Guidelines and that *“often when assessing particular sites the zone proposed does not seem to match these criteria or those of Guideline No.1.”* By the time of public exhibition the proportion had been reduced to approximately 75%, with the balance transitioning to RLZ, RZ, and other zones.

This history demonstrates that the initial presumption in favour of LCZ was not well-founded and that the LCZ application has been progressively narrowed as the evidence base has been tested. The Ireneinc report represents a further iteration of this process. Because the weight of evidence specific to our property (or lack of it) supports RLZ, the LCZ recommendation should not be allowed to stand.

D14: Inconsistency in the Ireneinc evaluation framework

On Day 20 of the LPS hearings, Commissioner Rohan Probert identified that landscape descriptions for Tinderbox East and Howden are near-identical yet produced opposite zone outcomes, asking Ireneinc to identify the actual difference between those two.

Commissioner Probert: from [01:07:48]: *“one we say they can be managed and the other one we say they can't be managed... what we really need to say is the difference between those two.”*

Ireneinc applied near-identical landscape value descriptions and settlement findings to both areas yet recommended LCZ for the eastern side of Tinderbox, and RLZ for the western side of Tinderbox.

The sole differentiator cited – the partial coverage of a Scenic Protection Area overlay – does not apply to our individual property because under the proposed LPS, our property will be under a C7.0 Priority Vegetation and a C8.0 Scenic Protection Area overlay control.

Ireneinc generalised and made an assumption that our property did not have appropriate code or overlay protections – but it does. The SPA-absence rationale for LCZ is not relevant to our property, and it should be zoned RLZ.

In any case, Howden was still recommended for Rural Living Zone, even at only partial SPA coverage, and Kettering West was recommended for Rural Living Zone after TPC delegates identified an issue and the concession, forced by Delegate Dan Ford, that the PVA overlay does the landscape-protection work, not the code [02:33:54].

This principle applies because the PVA overlay is present on our property. We respectfully urge the Commission to determine in favour of our request that the draft Kingborough LPS should be modified to include our property within the Rural Living Zone [subcategory B], on the basis that our existing LCZ recommendation is not properly justified, is inconsistent and in that way fails the LUPAA fairness objective.

E. Landowner impact statement:

Vince and Anne-Marie Taskunas

We oppose a zoning which reduces certainty about our land uses and replaces them with discretionary processes and unfairly replaces our neighbourhood's long-established residential use priority and lower order rural activities, with an unjustified priority on landscape conservation, leading to your most valuable asset becoming a stranded asset that loses its value.

In the LCZ, all discretionary permit applications are assessed against whether the proposed development is compatible with the protection and conservation of landscape values. This is a broad and subjective test. The council or TPC can refuse the application even if the landowner has done everything possible to address concerns. In the RLZ, a dwelling that meets the standard rules must be approved. We don't want this added restriction.

Replacing a destroyed dwelling may still require assessment under the LCZ development standards as new works, triggering a discretionary permit. This could delay rebuilding by months or years while the landowner is without a home and still carrying mortgage obligations. In the RLZ, rebuilding requires only a standard building permit. And in the LCZ, all outbuildings sizes (sheds, garages, workshops) are far more limited than in the RLZ.

In the LCZ, grazing and other resource development uses are discretionary; they require a planning permit that can be refused. In the RLZ, grazing is "no permit required." Landowners who keep horses, sheep, cattle, or run any form of hobby farm face a permit requirement under LCZ that does not exist in the alternative zone. Restricting land use which has always been able to be used for lower order rural activities will devalue the asset; making it less attractive to a buyer and ultimately with a lower return, if you can sell it.

In the LCZ, visitor accommodation (Airbnb, holiday rental) is a discretionary use. It requires a permit assessed against landscape values, with a maximum of 300 square metres within an existing building. In the RLZ, visitor accommodation is permitted outright.

The impacts of LCZ on us will include restrictions like this on use, many becoming discretionary, new requirements for permits, which cost money. The LCZ classification may affect the cost and terms of annual building insurance. The most concerning and stressful impacts include potential devaluation of our property, reduction in insurability and then becoming harder to sell – essentially your most valuable asset becoming a stranded asset that loses its value.

And these are impacts which we do not want to have to accept.

For these reasons, we argue the Ireneinc report recommendation has fundamentally mismatched the LCZ with our property. This mismatch can be remedied with the Commission's determination of the RLZ as the zone for our property.

We respectfully ask the Commission to determine this outcome.

F. CONCLUSION AND RELIEF SOUGHT

For the reasons set out above, I submit that:

1. The application of the LCZ to our property is inconsistent with the Zone Guidelines (Guideline No. 1) and does not satisfy the requirements of section 34 of LUPAA.
2. The application of LCZ is prohibited by Zone Guideline LCZ 4(a) where, as here, the priority of the land is residential use.
3. In relation to my property, the Rural Living Zone satisfies the criteria in Zone Guidelines RLZ 1(a) and RLZ 2(b) and is the appropriate zone for my property.
4. Any landscape values identified in the locality can be appropriately managed through existing overlay controls without resort to LCZ.

I respectfully request that the Commission:

- Determine that the draft Kingborough LPS should be modified to include my property within the Rural Living Zone [subcategory B];
- If the Commission proposes any alternative outcome, that I be provided with an opportunity to respond before any final determination is made.
- I request that the folio of the Register [title [REDACTED] at [REDACTED] Tinderbox Tasmania 7054 be included within the Rural Living Zone [B] in the Kingborough Local Provisions Schedule.

Signatory Full name: Vince John Sebastian Taskunas Address: [REDACTED] Tinderbox Tas 7054 Title Ref: [REDACTED]	Signature: [REDACTED] Date: 3 May 2026
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DECLARATION

I declare that:

- This submission is a formal written submission to the Tasmanian Planning Commission in relation to the Kingborough Local Provisions Schedule (Direction 69).
- The information in this submission is, to the best of my knowledge, accurate and is based on the following primary source documents, which are publicly available: *LUPAA (1993)* at legislation.tas.gov.au; Ireneinc Locality Baselineing and Alternative Zone Evaluation and Ireneinc LCZ Review and Findings Report (available on the TPC website); the interactive zone maps (available at kingborough.maps.arcgis.com); City of Clarence planning scheme (available at ccc.tas.gov.au); TPC Kingborough LPS Day 19&20 hearing recording: Kingborough Council YouTube channel (available until midnight 19 June 2026); *Section 8A Guideline No. 1 — LPS Zone and Code Application* (available on the TPC website); and the *Tasmanian Planning Scheme: State Planning Provisions: Codes* section accessed at stateplanning.tas.gov.au
- I am signing this on behalf of the other landowner at [REDACTED] my wife Anne-Marie Taskunas

Signatory Full name: Vince John Sebastian Taskunas Address: [REDACTED] Tinderbox Tas 7054 Title Ref: [REDACTED]	Signature: Date: 3 May 2026
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ACRONYMS and 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)
LCZ	Landscape Conservation Zone
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