
From: [REDACTED]
Sent: Sunday, 3 May 2026 2:54 PM
To: Kingborough LPS
Cc: [REDACTED]
Subject: [REDACTED], 7052 - Our Response to TPC DOC/26/36829 Kingborough draft Local Provisions Schedule (LPS) and Ireneinc Report
Attachments: Respose to TPC Doc-26-36829.pdf

Hello,

[REDACTED], 7052 - Response to TPC DOC/26/36829 Kingborough draft Local Provisions Schedule (LPS) and Ireneinc Report

Please find attached our pdf memo in response to the above. Grateful if you could acknowledge your receipt of this email and its attached pdf memo.

Many thanks,

David Ward and Brigid Heywood
(owners of [REDACTED])

To: Tasmanian Planning Commission

From: David Ward and Brigid Heywood

Date 3 May 2024

emailed as dated to KingboroughLPS@planning.tas.gov.au

**Your ref: DOC/26/36829
Tasmanian Planning Scheme
Kingborough draft Local Provisions Schedule (LPS) and Ireneinc Report**

We are the owners of [REDACTED], Blackmans Bay, Tasmania 7052 (Title [REDACTED]).

Thank you for your letter of 2 April 2026 inviting us to comment on the Kingborough draft Local Provisions Schedule (LPS) which was in part informed by the Ireneinc Report's recommendation for our property.

We support the recommendation that our property be re-zoned as part of a Rural Living zone.

This is consistent with the existing Environmental Living zone. The consistency reflects the following:

- (a) the Rural Living zone has similar features to our current Environmental Living zone designation; and
- (b) the Environmental Living zone designation has applied to our 30-year old property since it was established in 2015 over a decade ago.

We understand also that our property is part of a local community of Tinderbox properties which fall under the Kingborough Council's alternative recommendation for compulsory re-zoning of Environmental Living zone properties to a Landscape Conservation zone designation.

We do not support this.

We have some concerns about the compulsory imposition of the Landscape Conservation zone on properties that are currently in the Environmental Living zone. Some of our reasons for this are as follows:

Diminishment of Existing Rights and Unfairness

The compulsory imposition of Landscape Conservation zoning over the current Environmental Living zoning is potentially a retrograde step that flies in the face of years of practice in an established local community in Tinderbox.

For example, the proposed change of designation ignores the fact that Council rates invoices to many of these properties have for years described a property's details by the potential for sub-division lots. [In our case Council rates invoices give the official "property details" of "[REDACTED]", Blackmans Bay Tas 7052"].

The imposition of the Landscape Conservation zone heralds a planning regime that places a much higher burden on those seeking to reconstruct properties destroyed or damaged by flood and bushfire. It also places a higher burden on the development of their land to accommodate additional residential improvements.

Properties forced into Landscape Conservation zoning will fall outside of the current scope of insurance, thereby loading extra costs onto residents. The Kingborough Council will know that land conservation properties in Australia are generally more expensive to insure than standard residential properties, primarily due to their location, risk profile, and the nature of surrounding vegetation. Moreover, property owners are obliged to report the redesignation to their insurers or risk invalidating their cover.

The Council's imposition of Landscape zoning is a clear diminishment of existing rights without compensation for direct and indirect losses. It might also be argued that there is a lack of proper justification given that none of the cited reports include either baseline or benchmark analyses for standard environmental conservation metrics.

Competition and Conflict with Statutory Obligations

The compulsory imposition of Landscape Conservation zoning over the current Environmental Living zoning will inexorably introduce a conservation function that may be described as orthogonal to, and in competition with, the primary statutory obligations of the Council.

Kingborough Council will need to commit resources to compliance monitoring of landscape conservation and the associated planning assessment obligations. This will divert resources away from the Council's primary statutory functions. These functions are to ensure the health, safety, and welfare of the community (including relevant interventions in age care and emergency services), and the maintenance of local infrastructures such as roads, street lighting, stormwater drainage, community halls, the library, designated parks, and community halls, to name but a few.

Protection of Life

The imposition of Landscape Conservation zoning over current Environmental Living zoning will exacerbate the bushfire risk for an established part of the community. There is at this juncture no revised bushfire plan in place to deal with this. The Council is potentially increasing the threat to the lives of property dwellers. Many of the properties targeted by the Council have extensively cleared or thinned trees and removed understory as a fire precaution. Landscape Conservation zoning will remove that opportunity, and intimates that regrowth and natural recolonisation must be permitted to within 3metres of an existing structure.

Conservation Capability and Capacity Deficits

There is also little comment about the flora and fauna conservation objectives/targets which the Kingborough Council is seeking to address and the methods to be used. This is indicative of low conservation capability and capacity in the Council (which is also a competing cost factor with statutory obligations going forward). Rather than "impose" Landscape Conservation zoning onto existing Environmental Living zones, the Council is adjured to adopt a collaborative and consensual approach. The Council is able to bid for external grants to help interested owners and the community to gain additional resources and local business services to set-aside, in a managed, fair and agreed way, some or all of owners' lands for conservation. The approach has wider advantages. It can be used to create a fund to buy strategic conservation parcels to help mortgage payers in collaboration with lenders, and to identify local owners without lien who wish to be conservation benefactors for part or the whole of their property. The charitable land donation could range from parcels of land *per se*, through to property covenants, including for particular types of fencing to assist, for example, in connecting island habitats.

Thank you.

David Ward and Brigid Heywood