
From: Marie Ashworth [REDACTED]
Sent: Monday, 4 May 2026 8:16 AM
To: TPC Enquiry; Kingborough LPS
Cc: Marie Ashworth; Tim Ashworth; planning@mcplanners.com.au
Subject: Submission — Kingsborough LPS Direction 69 — [REDACTED], Tinderbox
Attachments: Tasmanian Planning Submission 20260504.pdf

Good morning

Please find attached our submission for the LPS Direction.

Please let me know if you require anything further.

Kind regards

Marie and Tim Ashworth
[REDACTED] Tinderbox.

3rd May 2026

Attention: Mr. Nick Heath (Delegate Chair)
Tasmanian Planning Commission
GPO Box 1691
HOBART TASMANIA 7000

RE: Tasmanian Planning Scheme – Kingborough draft Local Provisions Schedule (LPS)

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 Zone (RZ) 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.

We understand that 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.

Landowner name(s)	Timothy John Ashworth and Marie Susan Ashworth
Property address	██████████, Tinderbox TAS 7054
Title reference (folio)	██████████
Lot size (approx.)	2ha
Locality	Tinderbox
Current IPS zone	<i>Environmental Living Zone (ELZ)</i>
Draft LPS exhibited zone	<i>Landscape Conservation Zone (LCZ)</i>
Ireneinc recommended zone	<i>Rural Zone</i>
Zone sought in this submission	<i>Rural Living Zone (RLZ)</i> — Rural Living Zone B (minimum lot size 2 ha)

Our property is part of a cluster of residential properties along ██████████ the south-east tip of the Tinderbox Peninsular, with the lot being approximately 2ha.

Our property is solely residential, with gardens, a small orchard, shed and tanks and has always been residential.

If our property is zoned Landscape Conservation (LCZ) then there is a high possibility that the below impacts will affect us financially, causing undue stress and mental anguish.

- **Home rebuilds after fire faces planning delays — LCZ only**

Rebuilding after an unintentional event (such as a bushfire) is permitted under section 12 of LUPAA (the Land Use Planning and Approvals Act 1993). However, in the LCZ, where there is no designated building area on the title, 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.

[Section 12 LUPAA; SPP clause 22.4.4; Kingborough 35F Report p.73]

- **Some insurers refuse to reinsure after a total loss — LCZ**

Some insurers have indicated they will pay a cash settlement for a total loss at an LCZ property but will then decline to reinsure that property at the same location going forward. Because lenders (banks and mortgage holders) require ongoing building insurance as a condition of the loan, a landowner who receives a payout but cannot obtain new insurance may face default provisions on their mortgage, despite having received a financial settlement.

[Confirmed by landowners and insurers — verify with individual insurers and financial advisers]

- **Existing approved development is not affected retrospectively — LCZ and RZ**

Council has confirmed that existing approved development on properties with Crown licensed access that are proposed for LCZ or RZ will not have the new road access requirement applied retrospectively. The requirement applies only to new dwellings going forward — not to dwellings already built and approved.

[Kingborough Council written response]

- **Zone purpose fundamentally mismatches residential use — LCZ only**

The Zone Guidelines (Section 8A Guideline No. 1) 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 the LCZ "provides a clear priority for the protection of landscape values, with residential use largely being discretionary." Applying a zone with this purpose to land primarily used and intended for residential purposes is, by the guidelines' own terms, inappropriate.

[Section 8A Guideline No. 1, LCZ 4(a); SPP clause 22.1]

- **Planning permit process is costly and slow — LCZ only**

A discretionary planning permit application in the LCZ typically costs \$12,000–\$40,000 in professional fees and expert reports and takes 3–12 months. Expert reports commonly required include:

- Landscape impact assessment: \$3,000–\$8,000
- Ecological assessment: \$2,500–\$15,000
- Bushfire hazard management plan: \$1,500–\$4,000
- Environmental management plan: \$2,000–\$6,000

If the application is refused and the landowner appeals, costs rise to \$20,000–\$60,000. None of this applies to a new dwelling in the RLZ.

[SPP clause 22.2; analysis drawn from LCZ development standards clauses 22.4.2–22.4.4]

- Permit can be refused — no guaranteed outcome — LCZ only**

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.

[SPP clause 22.3; SPP clause 22.4.4]
- Outbuildings strictly limited in size — LCZ only**

In the LCZ, all outbuildings (sheds, garages, workshops) are limited to a combined maximum gross floor area of 100 square metres, with a wall height of no more than 6.5 metres. Exceeding these limits requires a discretionary permit assessed against landscape values. The RLZ has no specific outbuilding size limit beyond the general site coverage cap of 400 square metres.

[Ireneinc LCZ Review p.103; SPP clause 11.4.1]
- All building work assessed against landscape values — LCZ only**

In the LCZ, all buildings and works must be located within a building area shown on a sealed plan of title (acceptable solution), or comply with performance criteria assessing landscape impact. Most former ELZ titles have no designated building area. This means extensions, outbuildings, driveways, earthworks, or any new construction may trigger a discretionary assessment — even for routine home improvements.

[SPP clause 22.4.4]
- Property values reduced by 10–30% — LCZ; moderately for RZ**

Properties in conservation zones are consistently seen by buyers, lenders, and their advisers as more restricted and harder to develop. Based on experience in other Australian jurisdictions, a discount of 10–30% compared to equivalent residential-zoned properties is a probable outcome. For a \$600,000 property, this represents a loss of \$60,000–\$180,000.

[Based on comparable research in other Australian jurisdictions; Kingborough 35F Report p.73]
- Lenders reduce borrowing capacity or decline to lend — LCZ; moderately for RZ**

Lenders assess how much they will lend based on how easily a property could be sold. A property in a conservation zone is harder to sell, so lenders may require a larger deposit, charge higher rates, or decline to lend at all against the property.

[Based on lender risk assessment practices — not sourced from a planning document]
- Deferred investment causes lower property condition — LCZ**

Where every routine improvement — a shed, extended driveway, water tank — may require a planning permit with an uncertain outcome, landowners tend to defer investment and maintenance. Over 10–20 years this compound into a lower-value, worse-maintained property.

[Based on observed behaviour in conservation zones across Australia]
- Future rezoning is harder and more expensive to achieve — LCZ**

Once a property is zoned LCZ, any future attempt to change the zone to RLZ must demonstrate that the LCZ is no longer appropriate. A formal planning scheme amendment typically costs \$20,000–\$60,000 in professional fees and takes 2–5 years. The longer the LCZ is in place, the more planning history it generates in its favour.

[Based on how planning scheme amendments work under LUPAA]

- **Estate planning and inheritance options are limited — LCZ**

Where subdivision is ruled out by the LCZ minimum lot size (50ha acceptable solution), landowners cannot divide a property between heirs or create a second lot for a family member — even where lot size would otherwise make this feasible under RLZ.

[SPP clause 22.5.1]

- **Bushfire clearance conflicts with landscape rules over time — LCZ only**

As climate change increases bushfire risk, the interaction between bushfire management requirements (which may require vegetation clearance) and the LCZ's landscape value protections will intensify. In the LCZ, clearance beyond a narrow exemption may still require assessment against landscape values. In the RLZ, bushfire clearance is more straightforwardly accommodated.

[SPP clause 22.4.4; SPP Bushfire-Prone Areas Code]

- **Annual insurance becomes harder or more expensive — LCZ**

Separate from the total loss/reinstatement issue, the LCZ classification may affect the cost and terms of annual building insurance. Some insurers apply surcharges to properties in conservation zones on the basis that future rebuilding or improvement will attract greater regulatory scrutiny.

[Based on landowner reports and general insurance market practice]

- **Chilling effect reduces investment in affected communities — LCZ**

In localities where some properties are in the RLZ and others in the LCZ, those in the LCZ face restrictions their immediate neighbours do not. This visible inequality is likely to reduce the willingness of LCZ landowners to invest in, maintain, or improve their properties over time.

[Based on experience in other jurisdictions with mixed zoning outcomes in residential areas]

We have engaged Planner Mat Clarke from MC Planners to respond on our behalf, highlighting the zone and code overlays which are represented over our lot, please see the attached document. MC Planners have concluded that our lot should be subject to Rural Living Zone B, and not the Landscape Conservation Zone as exhibited.

For the reasons set out above and attached, I submit that:

1. While we welcome the Ireneinc recommendation to move away from the LCZ, the RZ does not adequately recognise the established residential character of our property.
2. Our property satisfies the criteria for RLZ under Zone Guidelines RLZ 1(a) and RLZ 2(b): it is a residential property with larger lots in a rural setting, with a mix of residential and lower-order rural activities, and the primary strategic intention is residential.
3. The appropriate RLZ subcategory for our property is RLZ [B], which reflects the existing lot size and settlement pattern and does not create a pathway for 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, without requiring RZ.

We respectfully request that the Commission:

- Determine that the draft Kingborough LPS should be modified to include our property within the RLZ [specify subcategory B]; and
- If the Commission proposes any alternative outcome, that we be provided with an opportunity to respond before any final determination is made.

We confirm that:

1. This attachment has been prepared to support a formal written submission to the Tasmanian Planning Commission in relation to the Kingborough Local Provisions Schedule (Direction 69).
2. The comparisons contained in this attachment are based on publicly available Ireneinc reports and TPC hearing records, and I have made reasonable efforts to ensure accuracy.
3. I am the owner or authorised representative of the property identified above.

Signed:

A black rectangular box redacting the signature.

Date:

3rd May 2026

Full name:

Marie Susan Ashworth

Contact email / phone:

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MC Planners Ref: 26040

4th May 2026

Delegate Panel - Kingborough Draft LPS

Tasmanian Planning Commission

Via email - tpc@planning.tas.gov.au

Attention: Nick Heath (Chair)

Dear Nick,

KINGBOROUGH DRAFT LPS - RE: DOC/26/36829 - SUBMISSION FOR MARIE AND TIMOTHY ASHWORTH - [REDACTED], TINDERBOX

This letter provides a formal submission regarding the proposed zoning of [REDACTED] Tinderbox (PID [REDACTED], CT [REDACTED]), as provided for by the Commission in its letter DOC/26/36829 dated 2 April 2026. The land is proposed in the Draft LPS to be included in a Landscape Conservation Zone (LCZ). The landowner seeks modification of the proposed zoning to a Rural Living Zone (RLZ).

MC Planners has been engaged to prepare a response on behalf of the landowners, Marie and Timothy Ashworth. No. [REDACTED] is a 2Ha lot sitting within a large number of similar sized lots on the south-east tip of the Tinderbox Peninsular (refer to Figure 1).



Figure 1 -Site location within the cadastre on the southeast corner of the Tinderbox Peninsular (source the List 30/4/26 - annotated).



Consideration of Ireneinc report on behalf of the Planning Authority in response to Direction 69

The site is included in 'Tinderbox' within the report.

Locality Baseline (Ireneinc report section 3.1.1)

The report identifies localised landscape values as follows:

The Tinderbox Peninsula is identified as one of Kingsborough's most scenic and visually distinctive landscapes, valued for its bushland coastal setting. The peninsula has a central elevated ridgeline which transitions down to the coastline, with bushland-covered slopes forming a highly prominent landscape when viewed from the D'Entrecasteaux Channel, Bruny Island, and surrounding waterways, making it a defining visual feature of the region. A network of public and private reserves forms a continuous green belt across the peninsula, preserving extensive native bushland and reinforcing both scenic and ecological integrity. These reserves frame the broader landscape context of the peninsula, contributing to natural vistas, ridgeline definition, and habitat connectivity, while enhancing the peninsula's visual coherence and landscape character. The area contains State and bio-regionally significant native vegetation communities and provides important habitat for threatened species, reinforcing its ecological and scenic significance. Extensive panoramic views are a defining feature of the peninsula which are dominated by vegetation but do include areas of clearing (particularly towards the southern portion of the peninsula) and scattered residences are visible. Elevated viewpoints and coastal areas provide sweeping vistas to and from the Channel, reinforcing a strong visual and experiential connection between land and water. These view corridors are central to the peninsula's identity and contribute significantly to its scenic and recreational appeal.

Key landscape values identified relate to:

- Bushland coastal setting
- Views from the D'Entrecasteaux Channel, Bruny Island, and surrounding waterways
- Extensive panoramic views dominated by vegetation but do include areas of clearing (particularly towards the southern portion of the peninsula) and scattered residences are visible.
- A strong visual and experiential connection between land and water.

Bushland Coastal Setting

Bushland is the main landscape value provided by the subject site.

The site and the current Scenic Landscape and Biodiversity Area Overlays are shown in Figure 2. Bushland covers approximately 2/3rds of the site, with the remainder of the site being a mix of garden and pasture. The dwelling and outbuilding are located on levelled pads below the Scenic Landscape area.

The southern end of the Tinderbox peninsula presents as a mix of rural and bushland with scattered residences. Forested areas are located to the north and east of the site, while land to the south and west is largely cleared and currently zoned Rural Resource with an area of general residential nestled within the Rural Resource land south west of the site.

The site is in a prominent position in the landscape, visible from Bruny Island, D'Entrecasteaux Channel, Derwent Estuary, Conningham and South Arm.

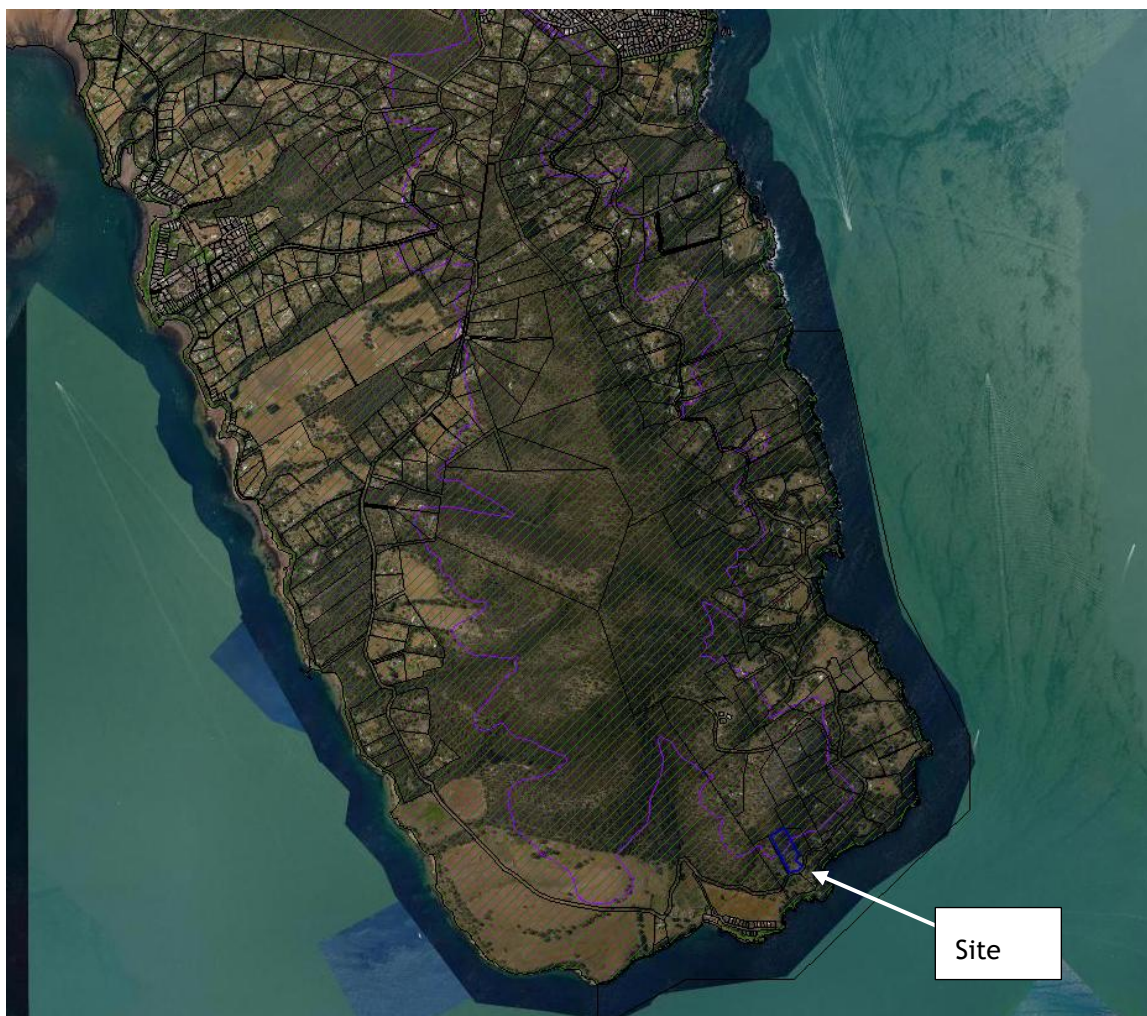


Figure 2. State Aerial Photo showing distribution of bushland, the location of the site (blue line) the Scenic Landscape Area (purple line) and the Biodiversity Protection Area (Green parallel lines).

Native vegetation

The site is predominantly covered with native vegetation. The vegetation is proposed under the LPS to continue to be protected by Priority vegetation and Scenic landscape area overlays.

Zone Evaluation (Ireneinc report section 3.1.2)

The Ireneinc report provides a 'decision point evaluation' for the area as a whole. This submission considers the decision points specifically for the subject site.

1. *Is there a strategic intention for any Residential use to occur?*

Yes. The site already contains a single dwelling.

2. *Does that area include state-reserved land?*

No.

3. *Are identified landscape values present?*

The presence of landscape values is indicated by the large area of native vegetation (bushland) on the site, and its existing inclusion within the Scenic Landscape Area overlay under the interim planning scheme. The site is visible from Bruny Island, South Arm, Derwent Estuary and D'Entrecasteaux Channel and perhaps from Snug.

4. *Does that area have characteristics of a rural living settlement?*

Yes - The site has an existing dwelling and outbuildings and approximately a third of the site is cleared to enable use of the land for grazing, or propagating, cultivating or harvesting plants.

The site does not form part of the area identified in the Ireneinc report as having rural living characteristics, and would not form a logical extension of the proposed application of the Rural Living Zone at Howden. However the area of the south-east Tinderbox is largely similar 2ha lot sizes, with a combination of vegetation, farmed areas and dwellings. As such the area has the characteristics of a rural living settlement, even if it is not zoned as such under the current IPS.

5. *Are identified landscape values present?*

Yes, the site has elevated bushland. The residence is nestled into vegetation, allowing bushland to be visually dominant on the rear portion of the site and agricultural land to be visually dominant on the front portion of the site.

6. *Could identified landscape values be appropriately managed outside of LCZ?*

The site has a Scenic Landscape Area Overlay and the Scenic Protection Code [C8.0] applies to the site. This code limits the extent of building works on the site, and requires assessment of development at the site against the relevant scenic protection area in the Local Provisions Schedule. Standards to appropriately manage identified landscape values can be included within the Scenic Protection Area. Priority vegetation mapping would require any future development to be assessed against the Natural Assets Code [C7.0], limiting clearance of native vegetation.

The Ireneinc report states notes a risk of visual impact by increased heights for extensions as being the main risks and that perhaps the RLZ could be applied where the categorisation provides for no further subdivision. The risk of additional height to new extensions of 6m vs 8.5m being a visual impact is overstated, particularly given the long range views given significance in the landscape value descriptions. A categorisation of Rural Living B with a 2Ha minimum lot size would prohibit further subdivision for most lots in this area. The categorisation could also be increased to Rural Living C (5Ha Min. lot size) to capture all lots in this area.

7. *Does the area otherwise align with the RLZ application guidelines in the Zone Guidelines?*

Yes, the site aligns with the RLZ application guidelines.

RLZ 1 The Rural Living Zone should be applied to: (a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity; or (b) land that is currently a Rural Living Zone within an interim planning scheme or a section 29 planning scheme, unless RLZ 4 below applies.

The subject site is a 2.0978Ha lot, with a mix of residential and hobby farming use in alignment with RLZ 1 (a).

RLZ 2 The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:

(a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; or

(b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater.

The land is currently within an Environmental Living Zone in the Kingborough Interim Planning Scheme with a primary strategic intention for residential use in alignment with RLZ 2 (b).

RLZ 3 The differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on : (a) a reflection of the existing pattern and density of development within the rural living area; or (b) further strategic justification to support the chosen minimum lot sizes consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.

The site is currently around 2ha which is consistent with Rural Living Zone B. Based on this and the size of the surrounding sites, zoning the land Rural Living Zone B aligns with RLZ 3 (a). As stated above RLZ category C could be applied to effectively prohibit subdivision in the area.

RLZ 4 The Rural Living Zone should not be applied to land that:

(a) is suitable and targeted for future greenfield urban development;

(b) contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see Landscape Conservation Zone), unless the values can be appropriately managed through the application and operation of the relevant codes; or

(c) is identified in the 'Land Potentially Suitable for Agriculture Zone' available on the LIST (see Agriculture Zone), unless the Rural Living Zone can be justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.

The landscape values on the site can be appropriately managed through the application of Priority Vegetation and Scenic Protection Codes in alignment with RLZ 4 (b).

3.1.2.2 Ireneinc recommendations

Based on the evaluation framework, the Ireneinc report recommends the site is zoned LCZ.

With regard to the parcels along the eastern side of the locality, the LCZ is considered to remain the most appropriate alternate zoning at this time given the significance of the existing landscape values and the parcels contribution to the broader landscape values of the locality and that no other available zone could appropriately manage the identified risks to the landscape values.

However, acknowledging the existing uses occurring and the interface that these parcels have with the coastline, future exploration of alternate zoning similar to that which would have been provided by the PPZ could provide for a more effective management of landscape values and rural/residential uses in this area.

Whilst it is acknowledged the eastern side of the Tinderbox peninsular has landscape values, the justification of a high risk to these landscape values if the RLZ was applied is not well

substantiated. The difference in building between the RLZ and the LCZ is extremely minor and by the reports own argument the area is already developed at capacity. Any rebuilds or extensions would be subject to the Scenic Protection Code which would ensure any removal of vegetation would trigger a discretion under C8.6.1 *Development within a scenic protection area*. The category of the RLZ could either minimise or prevent the impacts of further subdivision in the area.

Consideration of Guideline No. 1 LPS zone and code application (s8A Guidelines)

Landscape Conservation Zone

LCZ 1 The Landscape Conservation Zone should be applied to land with landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values, where some small scale use or development may be appropriate.

The site has both landscape and conservation values, meeting LCZ 1.

LCZ 2 The Landscape Conservation Zone may be applied to:

- (a) large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation;*
- (b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or*
- (c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.*

The site does not contain large areas of bushland or vegetation (a). The land does have significant constraints in terms of both the *Natural Assets Code* and *Scenic Protection Code* (b). The site is currently in the EMZ and the primary intention for the site is the protection and conservation of landscape values, although this is not the case for most of the lots within the surrounding area (c).

LCZ 3 The Landscape Conservation Zone may be applied to a group of titles with landscape values that are less than the allowable minimum lot size for the zone.

The application of the current ELZ is to such a group of titles, though the lot sizes (2-5Ha) are substantially below 20-50Ha range envisaged by the LCZ.

LCZ 4 The Landscape Conservation Zone should not be applied to:

- (a) land where the priority is for residential use and development (see Rural Living Zone); or*
- (b) State-reserved land (see Environmental Management Zone).*

Note: The Landscape Conservation Zone is not a replacement zone for the Environmental Living Zone in interim planning schemes. There are key policy differences between the two zones. The Landscape Conservation Zone is not a large lot residential zone, in areas characterised by native vegetation cover and other landscape values. Instead, the Landscape Conservation Zone provides a clear priority for the protection of landscape values and for complementary use or development, with residential use largely being discretionary. Together the Landscape Conservation Zone and the Environmental Management Zone, provide a suite of environmental zones to manage use and development in natural areas

The south east Tinderbox area is clearly both a residential area, but it includes landscape values. It is difficult to correlate an area with over 50 lots around the 2Ha size (each with a dwelling) cannot be primarily a residential use. For this reason, LCZ 4 is not met in our view and the application of the LCZ is not correct.

Rural Living Zone

RLZ 1 The RLZ should be applied to:

- (a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity; or*
- (b) land that is currently a RLZ within an interim planning scheme or a section 29 planning scheme, unless RLZ 4 below applies.*

The site and area are larger lots (2-5Ha) and the priority is residential amenity which includes hobby farming activities. The site is consistent with RLZ1(a).

RLZ 2 The RLZ should not be applied to land that is not currently within an interim planning scheme RLZ, unless:

- (a) consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; or*
- (b) the land is within the ELZ in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the RLZ D where the minimum lot size is 10 ha or greater.*

If the RLZ category B or C were applied RLZ 2(b) would be met given the primacy of the residential use in the area.

RLZ 3 The differentiation between RLZ A, RLZ B, RLZ C or RLZ D should be based on:

- (a) a reflection of the existing pattern and density of development within the rural living area;*
- or*
- (b) further strategic justification to support the chosen minimum lot sizes consistent with the relevant regional land use strategy or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.*

Based on the existing lot pattern around the site the category of RLZ B would be adequate, however there are a few sites that are around 5Ha which could then be subdivided (although not [REDACTED]). Given the potential impacts from subdivision on landscape values, a RLZ C could be adopted (a).

RLZ 4: The RLZ should not be applied to land that:

- (a) is suitable and targeted for future greenfield urban development;*
- (b) contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see LCZ), unless the values can be appropriately managed through the application and operation of the relevant codes; or*
- (c) is identified in the 'Land Potentially Suitable for Agriculture Zone' available on the LIST (see Agriculture Zone), unless the RLZ can be justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.*



The site and area are not targeted for future urban development (a). The site and area contains landscape values, but whether they are 'important landscape values' has not been established. Notwithstanding this, these values can be appropriately managed through the application/operation of the Scenic Protection Code and the Natural Values Code (b).

Conclusion

The recommendations in the Ireneinc report with respect to the [REDACTED] site and the south-east Tinderbox peninsular are not supported. The existence of over 50 lots mostly of 2Ha in size and including dwellings, is evidence that the priority in this area is residential development not landscape conservation. As such the application of the Landscape Conservation Zone is inconsistent with the Section 8A Guidelines. Consideration of the same guidelines suggests the Rural Living Zone B is the more appropriate zoning. Rural Living Zone C could be applied to effectively prohibit subdivision is required. Whilst the area has both scenic and natural values that need to be protected, this function should be undertaken by the Scenic Protection and Natural Values Codes as that is their purpose.

If you require any further information or would like to discuss this response, please contact us at planning@mcplanners.com.au or 6288 7248.

Yours faithfully

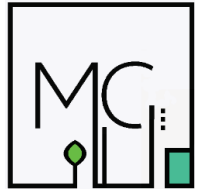
MC PLANNERS PTY LTD



Mat Clark

DIRECTOR/PRINCIPAL PLANNER





ATTACHMENT 1

Natural Values Assessment