
From: Clint Langerak [REDACTED]
Sent: Sunday, 3 May 2026 9:14 PM
To: Kingborough LPS
Subject: 23 Pioneer Rd, Kaoota, TAS
Attachments: 23_PioneerRd_WithAttachment_Signed.pdf

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To whom it may concern,

Please find attached our submission regarding zoning of the property
48114/1 at 23 Pioneer Rd, Kaoota, TAS, 7150

Kind regards,
Clinton and Annette Langerak

4 May 2026

Clinton W Langerak & Annette M Langerak

Kingston TAS 7050

Email: [REDACTED]

PH: [REDACTED]

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 split between the Landscape Conservation Zone (LCZ) and the Rural Zone (RZ) under the draft Kingborough Local Provisions Schedule (LPS).

I did not make a formal representation during the public exhibition period and have not previously had correspondence with the Commission. I understand this letter has been sent to ensure I have a fair opportunity to participate. I take up that opportunity and submit as follows.

Landowner name(s)	Annette Maree Langerak and Clinton Willem Langerak
Property address	23 Pioneer Rd
Title reference (folio)	48114/1
Total lot size (approx.)	7.18HA
Locality	Kaoota
Current zone (IPS)	Environmental Living Zone (ELZ)
Ireneinc recommended zones	Split: Landscape Conservation Zone (LCZ) + RZ
Split boundary description	The LCZ applies to the northwest vegetated portion (approx. 5 ha) past the vegetation line. The RZ applies to the cleared southeast portion (approx. 2 ha) used for residential use.
Approx. area in LCZ	e.g. 5 ha — northwest vegetated portion
Approx. area in RZ	e.g. 2 ha — southeast cleared portion
Zone sought in this submission	Rural Living Zone D

STATEMENT OF POSITION

I do not accept either zone recommended for my property. The split between LCZ and RZ does not appropriately reflect the character or lawful use of my land. I submit that the Rural Living Zone (RLZ) is the correct zone for my entire property under section 34 of the Land Use Planning and Approvals Act 1993 (LUPAA), the Section 8A Guideline No. 1 — LPS Zone and Code Application (the Zone Guidelines), and the Southern Tasmania Regional Land Use Strategy (STRLUS).

I make this submission on two grounds that apply to the whole property:

1. The LCZ portion: The LCZ is not appropriate for the portion of my property recommended for LCZ. The landscape values on that portion, to the extent they exist, can be adequately managed through the Natural Assets Code (NAC), the Priority Vegetation Area (PVA) overlay, the Scenic Protection Code (SPC), and the minimum lot size of the RLZ. LCZ is not required.

2. The Rural Zone (RZ) portion: The RZ does not adequately recognise the residential character of my property. The RZ treats dwellings as a discretionary use and is directed at land where agricultural use is the primary purpose. The RLZ better reflects the existing and intended use of the cleared and settled portion of my land.

I request that the Commission determine that the RLZ applies to my entire property under the draft Kingborough LPS.

The RLZ subcategory I seek is:

- Rural Living Zone D (minimum lot size 10 ha) — My property is 7 ha in total. Under RLZ D, no further subdivision is possible. This means the vegetated northwest portion would remain undisturbed, addressing the landscape concern without imposing LCZ.

GROUNDINGS FOR THIS SUBMISSION

D1 — The split zone recommendation is not appropriate for this property

D1.1 — The split boundary does not follow a meaningful difference in land character

A split zone boundary across a single property title is only appropriate where there is a clear and meaningful difference in the character of the land on each side of the boundary. The Ireneinc report and the TPC's own guidance from the Huon Valley LPS decision confirm that split zoning requires the site conditions, vegetation, topographic prominence, past use, and current use to justify two different zones on the same title.

The proposed LCZ portion of the property has no difference in vegetation or character to adjacent properties zoned RLZ.

D1.2 — The split creates practical problems that full RLZ would avoid

A split zone boundary across a single title creates practical difficulties for the landowner. The LCZ portion restricts uses and development in ways inconsistent with the way the land has been used. It creates uncertainty about what approvals are needed for works that cross the boundary. It also reduces the value and utility of the land without a corresponding planning benefit, because the landscape values Ireneinc has identified as justifying LCZ on one part of the title are not meaningfully different from the landscape values on the adjacent RLZ properties.

The proposed LCZ portion directly impacts our frontage to Pelterata Rd. We currently access our property via Pioneer Rd, which is a Crown Road Reserve. We have an access licence for the use of the road. If the proposed split LCZ/RLZ were to proceed, our access licence is no longer considered permanent access, and we may need to use the frontage to Pelterata Rd for access, though the terrain makes this option highly unfeasible.

D2 — The LCZ portion should be Rural Living Zone, not LCZ

D2.1 — Landscape values on the LCZ portion are manageable by existing codes

Zone Guideline LCZ 4(b) provides that the LCZ should not be applied where landscape values can be appropriately managed by the Natural Assets Code or the Scenic Protection Code. At the Day 20 hearing, the TPC panel found at Kettering West [02:33:54] that the Priority Vegetation Area overlay does the landscape-protection work — not the zone. Where PVA applies to my property, LCZ is not needed to protect vegetation values.

The northern portion of my property is within the Scenic Protection Area. The Priority Vegetation Area overlay [does / does not] apply to native vegetation on this portion. These controls, combined with the RLZ minimum lot size of 10 ha, provide adequate protection for any landscape values without requiring LCZ.

D2.2 — RLZ D eliminates the subdivision risk on the upper portion

A key reason Ireneinc applies LCZ to vegetated or elevated portions of a split property is concern about subdivision potential — the risk that an RLZ minimum lot size would allow the land to be further subdivided, intensifying development into areas of landscape value. The application of RLZ D (minimum lot size 10 ha) directly addresses this concern. Under RLZ D, no further subdivision of my property would be possible,

regardless of which portion is considered. This eliminates the subdivision risk cited for LCZ without imposing the full restrictions of that zone.

My total property area is 7.18ha. Under RLZ D, the minimum lot size is 10 ha (8 ha under performance criteria). My property cannot be subdivided at all under RLZ D. The landscape concern about intensification of the upper portion therefore does not arise.

D2.3 — The LCZ portion has the same settlement characteristics as the adjacent RLZ properties

The Ireneinc evaluation framework requires LCZ to be applied only where the landscape values are so significant that no other zone or code can adequately manage them. Where the LCZ portion of my property has the same or substantially similar characteristics to the adjacent RLZ properties — there is no basis for treating it differently.

D3 — The RZ portion should be Rural Living Zone, not RZ

D3.1 — The RZ does not recognise the residential character of the cleared portion

Zone Guideline RZ 1 provides that the RZ should be applied to land in non-urban areas where agricultural use is limited or marginal, and that requires a rural location for operational reasons. The cleared portion of my property does not satisfy this description — its primary existing and intended use is residential, not agricultural. The Rural Living Zone (RLZ), which gives priority to the protection of residential amenity in a rural setting, is more appropriate.

The southeastern 2 ha portion of my property contains a dwelling currently under construction. It will be used continuously as a primary residence. Any rural activities on this portion, a small orchard and vegetable garden will be incidental to its primary residential use. This is precisely the mix of residential and lower-order rural activities that the Rural Living Zone is designed for.

Access to this property is via a Crown Road Reserve for which we have a 50yr access licence. If the cleared portion is zoned RZ, then it would be deemed that we have no permanent right of access to our primary residence as per section 20.4.3 of the RZ zone. The intent for this property was always for a primary residence. We started the DA process in 2020. Crown consent was given for the residential development.

Pioneer Rd, as a road reserve has been developed to meet the TFS requirements for building in a bushfire prone area. It was maintained by Kingborough Council in the past, but reverted to a crown reserve at some unknown date.

D3.2 — RLZ is consistent with the surrounding zoning pattern

Zone Guideline RLZ 2(b) confirms that RLZ may be applied to ELZ land where the primary strategic intention is for residential use in a rural setting. The cleared portion of my property sits within a broader rural living settlement area. Applying RZ to this portion creates an inconsistency with surrounding RLZ properties that have the same residential character.

The properties immediately surrounding my land are zoned Rural Living Zone under the draft LPS. Those properties are used for residential purposes with small rural activities — the same use as the cleared portion of my land. Applying Rural Zone to my cleared portion while surrounding properties are in RLZ creates an inconsistent and fragmented zoning pattern that the Ireneinc report itself states should be avoided.

D4 — Consistency with comparable properties in this locality

Other properties in my locality with similar physical characteristics — a mix of cleared settled land and native vegetation — have been recommended for full Rural Living Zone without a split. Where those properties share the same combination of features as my whole title, there is no reason my property should be split while theirs is not.

The adjoining properties at 325 Pelverata Rd, and title 229093/1 have a similar mix of cleared residential land and native vegetation have been recommended for RLZ.

The properties along Pelverata Rd and Talbots Rd, which share similar characteristics, dwellings, and rural settings, are zoned RLZ under the LPS. The Ireneinc report does not identify any difference between those properties and mine that would justify the different zoning outcome.

D5 — The Ireneinc evaluation framework supports RLZ, not a split

Kate Heckelmann (Ireneinc) confirmed at Day 20 [05:53:00] that the evaluation framework is a tool, not a statutory instrument. The Commission must assess my property against the Zone Guidelines. Where the Zone Guidelines support RLZ for the whole property — because the residential character is established, the lot size prevents subdivision, and existing codes manage landscape values — a split outcome is not required by the Zone Guidelines, even if Ireneinc has recommended one.

The Ireneinc LCZ Review report itself acknowledges that split zoning is a last resort, used only where one part of a title clearly meets LCZ criteria and the other clearly does not. That is not the case here — as set out above, neither portion of my property meets the criteria for LCZ or RZ over RLZ.

D6 — Locality-specific inconsistency (Attachment A)

A formal comparison of the Ireneinc evaluation across localities is attached to this submission as Attachment A. That document identifies localities where properties with similar characteristics to mine — including a mix of cleared residential land and vegetated upper portions — were recommended for full Rural Living Zone without a split.

As shown in Attachment A — Sandfly and Kaoota section, properties in Talbots Rd with a similar combination of cleared residential land and native vegetation were recommended for full RLZ [D] with no split. The landscape value descriptions for those properties are near-identical to the descriptions for my locality. There is no documented reason in the Ireneinc report for treating my property as a split when those properties received full RLZ.

I request that the Commission have regard to Attachment A, and in particular the comparison rows identified above, which show that the split zone recommendation for my property is inconsistent with the outcome applied to similar properties elsewhere in the municipality.

LOCALITY-SPECIFIC CONTEXT

Sandfly, Kaoota, and Allens Rivulet.

Ireneinc recommended LCZ for the vegetated upper portions citing elevated bushland and scenic values. Rural Zone was recommended for cleared lower portions where rural activities are occurring.

The cleared area of our lot is not used for rural activities. It was purchased for residential development under the interim planning scheme (ELZ). There is a dwelling under construction for use as a primary residence.

The properties along Pioneer Rd sit between zones recommended for RLZ along Peverata Rd from Sandfly and the Talbots Rd / Pregnall's Rd properties.

CONCLUSION AND RELIEF SOUGHT

For the reasons set out above, I submit that:

3. The split zone recommendation — LCZ for part of my property and RZ for the remainder — does not correctly reflect the character, use, or zone guideline criteria applicable to either portion of my land.
4. The LCZ portion should be Rural Living Zone, not LCZ. Landscape values on that portion, to the extent they exist, can be managed by existing codes and by the minimum lot size of the RLZ subcategory I am seeking. LCZ is not required by Zone Guidelines LCZ 1–4.
5. The RZ portion should be Rural Living Zone, not RZ. The primary existing and intended use of that portion is residential. RZ does not give priority to residential amenity and is not appropriate for a portion of land that contains or is ancillary to an established dwelling in a rural setting.
6. Rural Living Zone D is the correct zone for my entire property. Under this subcategory, the minimum lot size is 10ha, which eliminates the possibility of further subdivision, directly addressing any concern about intensification of landscape values on the vegetated portion.

I respectfully request that the Commission:

- Apply the Rural Living Zone D to my entire property (folio of the Register 48114/1) in the Kingborough Local Provisions Schedule; and
- Not apply a split zone recommendation across this title, as neither portion of the property meets the criteria for LCZ or RZ over RLZ under the Zone Guidelines.

Signed:

[Redacted Signature]

Full name: Clinton Langerak

Date: 3 May 2026

Contact email / phone:

[Redacted Contact Information]

Signed:

[Redacted Signature]

Full name: Annette Langerak

Date: 3 May 2026

Contact email / phone:

[Redacted Contact Information]

ATTACHMENT A

Inconsistency Analysis — Ireneinc Zone Evaluation

PART 1 — SUBMISSION IDENTIFICATION

Submission reference	Clinton Willem Langerak, Annette Maree Langerak – 23 Pioneer Rd, Kaoota — Direction 69
Property title reference	48114/1
Locality	Sandfly & Kaoota
Submission template used	TS1_LCZ_RZ_Seek_RLZ
Date of attachment preparation	4 May 2026

PART 2 — PURPOSE OF THIS ATTACHMENT

This attachment has been prepared to support the written submission identified above. It provides comparative analysis of the Ireneinc zone evaluation framework as applied to the landowner's locality, compared against one or more similar localities that received a different — and more favourable — zone outcome using the same or very similar evidence.

The purpose is to demonstrate to the Commission that the Ireneinc recommendation for this locality is inconsistent with the outcome produced by the same evaluation framework applied elsewhere in the municipality, and that there is no clear reason to treat this locality differently from the similar localities identified.

This attachment should be read alongside the written submission, in particular the arguments set out in Part D (D7 — Inconsistency in the Ireneinc evaluation framework) and Part E (Locality-Specific Context) of that submission.

PART 3 — HEARING EVIDENCE SUPPORTING THIS ANALYSIS

The following statements from the Day 19 and Day 20 TPC hearings directly support the use of a comparative inconsistency analysis as evidence in a submission:

Speaker and timestamp	Statement and relevance
Delegate Rohan Probert [01:07:48]	Comparing Tinderbox East (LCZ) with Howden (RLZ): 'They are very similar if you only look at the description of the landscape values... 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.' This statement acknowledges that the Ireneinc framework produced inconsistent outcomes from very similar evidence, and that the difference between localities needs to be clearly explained. This analysis does exactly that for this locality.
Delegate Dan Ford [02:33:54]	At Kettering West: effectively forced the concession that the Priority Vegetation Area (PVA) overlay does the landscape-protection work, not the zone. This is directly relevant where PVA applies to the subject property and LCZ has been

recommended — the same logic that produced RLZ at Kettering West Groombridges applies.

**Kate Heckelmann
(Ireneinc) [05:53:00]**

Conceded that the evaluation framework is a tool, not a legal requirement. Submissions can move away from it if supported by good evidence. This confirms that identifying inconsistencies in the framework's application — as this analysis does — is a legitimate basis for a submission.

**Chair Nick Heath
[06:45:48]**

Confirmed that the Commission will decide on the basis of section 34 LUPAA criteria (Zone Guidelines and LPS criteria), not on the basis of Council's position or the Ireneinc framework alone. The Zone Guidelines require consistent application of zone criteria — inconsistency of the kind documented in this attachment is therefore directly relevant to the Commission's assessment under the law.

PART 4 — MOST RELEVANT COMPARISONS FOR THIS SUBMISSION

The following table identifies the specific comparisons within the attached Inconsistency Analysis that are most directly relevant to this submission. The full comparative tables for this locality appear in the pages that follow.

Characteristic compared	Similar locality cited in Attachment A	Why this comparison supports my submission
<i>Landscape value description</i>	Kettering East & Oyster Cove	Both described dwellings within large vegetated areas; Kettering East received RLZ; my locality received LCZ/RZ — no clear reason for the difference.

PART 5 — PROPERTY-SPECIFIC DIFFERENTIATION

This attachment identifies inconsistencies at the locality level. The submission itself provides the property-specific evidence explaining why those inconsistencies apply to this individual property. In summary, the following characteristics of this property are consistent with the similar localities that received RLZ, and are not consistent with the reasons cited by Ireneinc for LCZ retention:

1. My lot is 7ha — consistent with the 1-10ha range accepted for RLZ at Kettering East, and within the range for which Ireneinc found codes manage landscape values adequately.
2. My lot is partially cleared with a dwelling under construction. Cleared portion of 2ha is consistent with lot sizes on Talbots Rd where the TPC determined that the RLZ should apply.
3. Priority Vegetation Area overlay applies to the native vegetation on my lot — consistent with Kettering West Groombridges where the TPC found PVA does the landscape-protection work.

PART 6 — VERIFICATION AND PRIMARY SOURCES

All comparisons in this attachment can be verified against the following primary source documents, which are publicly available:

- Ireneinc Locality Baseline and Alternative Zone Evaluation (available on the TPC website)
- Ireneinc LCZ Review and Findings Report (available on the TPC website)
- TPC Day 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)

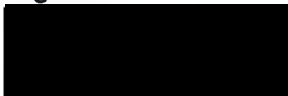
The timestamps in this attachment (e.g. [01:07:48]) show how far into the Day 20 YouTube recording each exchange takes place. To verify a quoted exchange, navigate to that timestamp in the recording. The full text transcript is also available as a supporting document to this submission.

PART 7 — DECLARATION

I 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 in Part 1 above.

Signed:



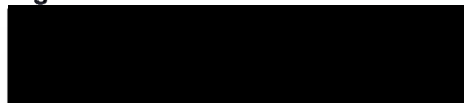
Full name: Clinton Langerak

Date: 3 May 2026

Contact email / phone:



Signed:



Full name: Annette Langerak

Date: 3 May 2026

Contact email / phone:

