

Name(s)	Hilary Adele Fletcher
Date	2/05/2026
Property Address	██████████ Snug. 7054. Property ID: ██████████
Requested Zone	Rural Living Zone D. Lot size 28.14 hectares

To the Tasmanian Planning Commission

My name is Hilary Fletcher, and I am the owner of ██████████ Snug. I currently hold Representation #370. Thank you for the opportunity to provide a revised submission. Following advice from your Administration, I understand that this letter provides me the opportunity to make a further submission in relation to the Irenelnc recommendations and I may speak to this submission when I appear before the Commission. I also understand that it must be lodged by 4 May 2026, and further information may be submitted closer to the date of the hearing.

I respectfully object to the proposed rezoning of my property to the **Landscape Conservation Zone (LCZ)** under the Kingborough Draft LPS and Irenelnc's review.

In doing this I would also acknowledge that Kingborough Council previously proposed a more flexible alternative to LCZ, which was not accepted by the Commission at that time. I also acknowledge the constructive discussions I have had with Council planning staff, particularly Planning Officer Adriaan Stander, and thank him for his clarity and willingness to discuss zoning possibilities.

Using the following information, I respectfully request that the Commission apply the Rural Living Zone (RLZ) to our property. The **Rural Living Zone (RLZ)**—specifically RLZ-D—as a more accurate and equitable translation from the Environmental Living Zone (ELZ) This zoning best reflects the way the land has been used for more than 30 years, and indeed since the early 1900s.

I offer the following information to substantiate our request.

LCZ is inconsistent with LUPAA objectives and Guidelines

TPC chair Nick Heath 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 Irenelnc framework alone. The Zone Guidelines require consistent application of zone criteria — inconsistency is therefore directly relevant to the Commission's assessment under the law.

The objectives of the Land Use Planning and Approvals Act 1993 (LUPAA) emphasise balanced, sustainable development that supports social, economic, and cultural wellbeing. LCZ does not achieve this balance for my property.

- **Schedule 1, Objective 1(a)** requires planning to enable communities to provide for their wellbeing while sustaining natural resources for future generations. LCZ reduces property rights, inhibits the ability to conduct my business activities, affects property value, and restricts reasonable residential use—contrary to this objective.

- **Schedule 1, Objective (b)** requires “fair, orderly and sustainable” land use. Removing permitted residential use and replacing it with discretionary status is inequitable and represents a net loss of existing rights.
- Many councils, including Kingborough in 2019, went against these balanced and reasonable objectives, despite knowing that LCZ could decrease property values, impact insurance and finance, and restrict development on vacant land. Applying this zone to my property at Snug Falls overlooks a century of integrating natural resources into our lifestyle. We have consistently followed Schedule 1 – Objectives with balanced activity and regard to environmental sustainability. In fact, we have tried to enhance these values.
- When Kingborough Council was asked, “Does LCZ turn my property into a conservation reserve or does it change who owns the land, “their answer was “No The LCZ is a planning zone, not a land-reservation mechanism. It does not change ownership.”” I would contend that when you take Agency of current land use away from a landowner you **have** effectively created a reserve and made void ownership rights. How then are the constraints defined, accompanied with the economic and social hardships taken into account? At what point does rezoning become unfair and discriminatory to the land holders?

Relationship to an established rural living settlement

My property forms part of a long-standing rural living community at Snug Falls. All residents of 22 established homes are requesting Rural Living Zoning. Our settlement is cohesive, functional, and historically established. Adjoining properties—[REDACTED], and [REDACTED]—are also proposed for RLZ.

Chair Nick Heath explicitly invited collective submissions at the Day 2 hearing [06:55:53–06:58:31].

Further supporting our claim is Section 34 of the Land Use Planning and Approvals Act 1993 (LUPAA). the LPS Section 8A Guideline No. 1, where the guidelines are based on the zone purpose, and the Southern Tasmania Regional Land Use Strategy (STRLUS).

RLZ Guideline RLZ 1(a) suggests the RLZ should be applied to residential areas with larger lots used for residential and lower order rural activities, while prioritising residential amenity. This fits my property and others on [REDACTED]

RLZ Guideline RLZ 2(b) states RLZ may be applied to ELZ land where the primary strategic intention is for residential use in a rural setting and a **similar** minimum allowable lot size is being applied. My property’s size of 28.14 ha aligns with RLZ D with a minimum lot size of 10 ha.

Split Zoning and Spot Zoning

The IreneInc report identifies avoidance of fragmented LCZ application as a key principle. O’Brians Road is at the top side of [REDACTED] This means that large parcels of land above {East} and adjacent to my property and another parcel adjoining this going down into Snug Township East of the Road are given RLZ status. If fragmentation is to be resolved in favour of surrounding zones, then my property should be considered to Join their zoning status. It is more logical that we become part of an overall Rural Living Community Pattern. Supporting Maps will be shown at the representation.

Distinguishing Characteristics of the Land

It should be noted that 30 years ago after the hot fire on this land in 1994 our priority vegetation overlay Of Eucalyptus Tenuiramis Vegetation was devastated. Regarding this overlay it should be noted that Delegate Dan Ford (02:33:54) effectively forced the concession that a Priority Vegetation Area. (PVA) does the landscape protection work, not the zone. This is relevant to our land overlay where LCZ. is applied on this protection reasoning.

In the Planners Portal, Tasmanian Planning Commission the question whether the LCZ was the best zone for applying to large areas of vegetated land in private ownership. The advice was:

It can be, but not in all cases. Sometimes application of the Environment Management zone (EMZ), Rural Zone (or another zone) may be appropriate to Satisfy Guideline No 1 or the regional strategy. For these zones, the natural assets code can be applied to protect areas of priority vegetation.

We live on the Northwest slope of the Snug River. The forest type is Dry Sclerophyll. The structure in many parts has been dictated by fire and unfortunately because of a succession of hot fires the understory would have been mainly Lomandra longifolia. We scattered seeds of various understory common to the area after the 1994 fire that left a huge portion of the land looking like a gravel pit with little acidic, low-nutrient soil after runoff from rain. Now our work towards **enhancing biodiversity** is being used against us to support LCZ. This land **needs management** to return to its full potential. We postponed planting swift parrot forage trees last year, wondering how it would affect our zoning.

IreneInc suggest that LCZ zoning near Snug Recreation Area which is the border of my land near the river, is necessary to provide connectivity to the EMZ and act as a buffer between living zones. Not only have National Parks (EMZs) already been put aside for state management, nearly every other Tasmanian council placed other living zones: Rural Living, Residential, Rural, Agricultural, and even Industrial zones next to National Parks or EMZs. It is also contradictory to the placement of Low-Density Residential lots beside Coningham's EMZ reserve. Why would a **Public** Recreation Area act as a buffer? The steep topology makes the area very inaccessible, and we are in a rural area where wildlife corridors are open. This is an **inconsistency** and should not result in my land being automatically put into LCZ.

This property has always been residential in its primary use:

- Originally zoned **Rural Residential**
- Later zoned **Environmental Living (ELZ) in 2015**
- Continuously occupied since the dwelling was rebuilt in 1995
- No evidence of any strategic intention other than residential use

LCZ does not reflect this history or the lived reality of the site. We have always used organic and biodynamic practices on the land. And we follow a no poison spray policy on weeds. None of this is visible from the air, however on day 20 the TPC confirmed that visible rural activity is not a prerequisite for RLZ.

For over 30 years my husband and I raised a family, ran two property-based businesses, kept gardens, orchards, turkeys, chickens and other small livestock. In 2020, my husband passed away in our home, after a 12-year battle with cancers, strokes and other associated illnesses. During his palliative years, he took great pleasure from overseeing and participation in the rural activities on our property and was reassured that his family would continue to have generational use of the land.

Further considerations pointing to errors and inconsistencies in Irenelnc's evaluations.

Section 34 of LUPAA says the Commission must check if the LPS meets the Act's criteria, including zone guidelines. LCZ 4(a) states that LCZ should NOT be used where the land's **'priority is for residential use and development'**. The guidelines say LCZ is not for large residential lots 'characterised by native vegetation cover and other landscape values.'

LUPAA guidelines also imply LCZ is not a replacement for ELZ. The priorities don't match: ELZ Living priority permits dwellings, but LCZ prioritises conservation with discretionary dwellings.

Further, In correspondence with the Planning Authority, the TPC noted that the LCZ "appears to have been used ...to replace ELZ", a policy or strategy shift which should be 'comprehensively justified'. Neither the draft LPS nor Irenelnc's review has provided detailed, site-specific reasons for changing my land's priority. They based their decision on **general landscape values and rural settlement judgments**, neither had community input.

The majority of Tasmanian councils moving to the Statewide Planning Scheme applied the LCZ sparingly or not at all. Only a few used it moderately or heavily. Most councils (such as Tasman) translated ELZ directly to the Rural Living Zone yet Irenelnc chose three councils that applied LCZ heavily as their selection models. This points to **Further inconsistencies in Irenelnc's methodology for evaluation.**

Mischaracterisation of settlement pattern

The review describes dwellings as "scattered," a term that misrepresents deliberate siting choices based on topography, solar movements, wind protection, and access. Rural settlement patterns do not resemble urban cul-de-sacs; they follow landscape logic.

Over-reliance on desktop analysis

Aerial imagery cannot see through tree canopy or reflect lived settlement patterns. Several conclusions in the report are based on assumptions rather than ground-truthing.

Inconsistent application of criteria

Some properties with similar characteristics are recommended for RLZ, while others—such as mine—are not. A large 108.84 ha property at 2274 Channel Highway is split-zoned Rural/RLZ, yet smaller ELZ lots are denied RLZ entirely. I will add to these comparisons at my representation.

The IRENEINC (Decisions Tree) Pathway of Evaluation

Irenelnc uses a decision tree to decide zones. On Day 2 of the review hearing, the Commission was told that it's a tool, not a rule [Kate Heckelmann, 05:53:00], and alternatives can be used with good evidence. Even so, applying the evaluation pathway correctly, my property meets the RLZ criteria rather than LCZ.

Evidence of Strategic Intent for Living

Both the original LPS and IreneInc's report lack clear definitions of "primary strategic intent." They ignore existing rural-residential settlements, historical land use, cultural attachment, community ties, and intergenerational living. Neither STRLUS nor the Kingborough Strategic Plan restrict rural living growth. Past land allocations, subdivision approvals, and development applications show that residential use is the 'strategic intent' of this land. It is also the strategic intent of the combined [REDACTED] Settlements.

The review for my locality (Snug/Coningham) is stated as generally meeting strategic intent for living.

Evidence of Rural Living Settlement

IreneInc's review states that the Snug Falls community meets the 'strategic intent for living' because there is 'evidence of residential uses scattered throughout'. Residential sites have been specifically chosen with regard to topology, in the case of this land topology suitable for farming, wind direction, protection from the elements, sun direction and proximity to roads. However, Rural Living Settlement status has been mostly denied, with the report citing a 'lack of consistent subdivision pattern with lots of the size which would contribute to a rural living settlement'. The land here is so poor you needed a substantial lot size to make farming viable.

This assessment appears biased, primarily due to two judgments.

First, it favours smaller lot sizes, disregarding RLZ subcategories that limit subdivision of lots under 20ha and also minimises development on larger lots through needs of access and services (note: there is NO maximum lot size in RLZ).

Secondly, the 'consistent pattern' is only recognised if it resembles urban cul-de-sacs or road clusters, ignoring rural and lifestyle properties that are naturally sited around topographical features, inherited large lots, or purchased with future rural living in mind. For example, in Snug Falls there's a clear pattern of large lot subdivision facing into the valley, in my case on a Northwest placement taking advantage the suns yearly directional pathway.

These biases also overlook the fact that residents live just minutes from Snug township. This property entrance is 2.3 kilometers from the main highway. This is a close equivalent of the distance from the top of Southern Outlet at Macquarie St to the Brooker Highway.

The reliance on a desktop analysis, which can't see beyond tree canopies and often lacks on-the-ground insight, leads to subjective judgments about rural settlements. For example, the IreneInc report notes that three adjoining properties on O'Brians Road display 'a consistent pattern of rural living,' as does my property, yet it is still proposed to be part of the LCZ. Properties of the same height from the river, directly over the valley on Sproules Road have been given split RLZ& LCZ.

Without applying rural living settlement criteria consistently and with ground-truthing, the evaluation then fails to consider whether property values can be managed through other planning codes **nor recommends any other outcome than LCZ**, unless the area has no landscape values. There is also a subjective, non-consulted definition of 'landscape values'.

Homeowners in my area **strongly disagree** with IreneInc's narrow assessment. We can demonstrate that the Snug Falls community meets all three rural living settlement characteristics:

1. A pattern of **at least** 10 smaller blocks, **generally** between 1–15 ha, with a consistent lot pattern. The attached map shows my property among 23 others in Snug Falls, with lot sizes from 0.96ha to 40, a pattern established since the [early 1800s]. As you can see all properties can be managed by available RLZ lot sizes to minimise subdivision potential. Our settlement at Snug Falls adjoins property proposed for RLZ at [REDACTED], and [REDACTED]
2. A pattern of 'detached dwellings and outbuildings', which Irenelnc admits is "generally met, as many lots have identified residences and cleared areas". As you can see from the attached map, dwellings and outbuildings are located on nearly every property in my community. This also includes properties with development applications or strategic plans for living on empty blocks
3. Visual evidence of rural activities such as 'clearings, grazing and hobby farming etc'. Irenelnc states that "some residential uses are associated with farming", yet at the review hearing, it was clarified that the criteria list is only an example. My property shows cleared areas. What IRENEINC cannot see is the historic and dynamic vista of ongoing land improvement strategies.

Assessing Landscape Values

STRLUS CV 4.1 states that community consultation should determine landscape values. In review hearings Irenelnc said they did no consultations in this regard. They focus on tree-centric descriptives of "hilly places", 'predominantly bushland,' 'allotments set within native bushland,' 'dwellings are ... nestled into vegetation,' and 'bushland backdrop' are the main basis for our locality's landscape values.

These descriptions bare no relationship to the variety and richness of diversity we experience on the land. I first heard the term Landscape values used at a 1990s lecture by Hobart architects alarmed at the visual aesthetic of housing developments taking over hills and ridgelines in Tolmans Hill, Sandy Bay and the Hobart Eastern shore. What is visually and aesthetically acceptable in a Landscape is very **subjective**. Rural landscapes with varied terrain showing rural activity, open areas and trails attract sightseers and people enjoying varied scenery.

Our land is in a unique location with one boundary adjoining the private property where the Snug Falls Track begins. The waterfall on the Snug River is a popular visitor attraction and even though there are carparks available, in the summer months the parking overspill often takes up margins on my side of the road. On the walk from the carparks to the track, only vegetation is visible on the border of the road. The land is discrete and hidden from view from the road, and the sea and is not part of a landscape vista.

As can be seen from the maps provided the land slopes gently down from the [REDACTED] This creates a tree barrier obscuring the opposite side of the Snug valley from our road. The Irenelnc report scenic protection overlay is broadly applied to properties over 100m above sea level. They have used real estate.com aerial photographs that do not reflect what is actually viewed. Using this kind of desktop assessment undermines the gravity and importance of outcomes for landowners.

Our land is in a unique position near this waterfall track; we are not against developments for more car parks. We would like to encourage the public enjoyment of natural spaces.

1. Large areas of bushland and vegetation alone do not justify LC zoning. As confirmed at the TPC review hearing on 14/4/26, "LCZ is not for managing vegetation—that is the role of the Natural Assets Code", which

applies to all properties. Irenelnc stated that for properties in our area proposed RLZ, overlays will likely (and logically) protect the natural values they identify.

2. Describing dwellings and large lots around topography as 'scattered' implies no strategic planning or intent, which is untrue.
3. Biased reasoning: noting large vegetated spaces on rural properties (and comparatively less dwelling area, as set by development criteria) is worded in the report as though this is a choice or evidence that OUR preference was conservation over living: "integration of residential use ... is largely within a small proportion of a parcel", "the remaining natural setting reinforces the area's natural values".
4. Owning private property in natural settings doesn't mean residents prioritise landscape conservation over residential amenity. Irenelnc implies this repeatedly, both in review references to "built form" being "secondary to the natural landscape" and, in hearings, that lots in bushland reinforce or "contribute" to the area's "natural values". Snug Falls residents purchased homes in natural areas because they **value the contribution this makes to their Rural Living**, not to add to Kingborough's undefined scenic or "landscape values". We want to enhance the land but not to our own detriment.
5. The scenic protection overlay is broadly applied to properties over 100m above sea level. The photos used in the report, sourced from realestate.com, are aerial shots intended for sale and don't accurately reflect what is seen from local roads, towns, or waterways. Even Irenelnc admits that in the locality "bushland, landform, and ridgeline features ... remain visually intact," and the reality is that the siting of this land on [REDACTED] cannot be seen from vantage points and the scenic protection overlay will continue to protect these landscapes.

Risk ratings are judgement calls, not defined thresholds

The low/medium/high risk ratings applied by Irenelnc to support LCZ were described as judgement calls not defined thresholds. Whatever risk rating is applied to my locality, this is not a determinative finding and can be challenged with site specific evidence. In our case the house has been assessed to fulfil all requirements of cleared land surrounds. No area in Kingborough from the sea to the hilltops could survive a catastrophic event as was seen at Dunalley.

Balancing Conservation values and Land Use

In their S35F report, Kingborough council states that applying the Rural Living zone to rural residential areas **may** "risk that the predominant land use pattern and characteristics of the area could be eroded over time...". This ignores the long-standing rural nature of the area and the fact that rezoning to LCZ would significantly restrict ongoing private land use, and in the case of this property **absolutely guarantee** a change in "character and amenity". Will the council take on my free work of clearing drains on the road during heavy rain to prevent the road washing away? At the moment we have two types of priority weeds on the land, but there are more varieties we manage including at the road edge in the No Spray programme. Will the council take on the role of management? What about the rubbish dumped at Snug Falls Track carpark. Will the council be prompt in moving fallen trees preventing passage on the road? Kingborough council

really need the goodwill of our settlement members taking care of these and more activities I will speak about in my representation.

The report notes a “medium/high” risk of RLZ uses in this locality but doesn’t specify what those risks are, how **likely** they are considering the topography, vegetation, and existing settlement patterns, or whether they could be managed through overlay codes, SAPs, or other mechanisms. IreneInc acknowledged that future reviews could reconsider RLZ decisions, and that any short-term risks could be mitigated. This supports the case that RLZ is appropriate for my property, not LCZ.

At the review hearings, Kate Heckelmann admitted there are **no land uses** that would impact landscape values which aren’t already managed by building codes or overlays. This suggests overlaps through stricter zoning isn’t necessary because landscape “values can be appropriately **managed through the application and operation of the relevant codes**” (Kingborough LPS guidelines, RLZ 4b).

Assuming LCZ is the only way to protect generic ‘landscape values’ ignores individual land management requirements. This land was intensively farmed rural land and as such is subject to far more weed invasion than other areas. It conflicts with the intent of the evaluation pathway of **balancing** landscape protection with existing land uses. It is illogical to rezone properties to LCZ to protect land that we already have to have a management plan to protect.

Our efforts help protect biodiversity, reduce financial and disaster risks, and improve resilience and food security for all - work that cannot be replaced by council staff or State Parks and Wildlife service.

Summary and request

The proposed LCZ:

- Reduces existing rights
- Does not reflect the property’s history or strategic intent
- Is inconsistent with LUPAA objectives
- Is not supported by STRLUS or LPS guidelines
- Is based on flawed and inconsistent assessment
- Is unnecessary to protect natural or landscape values

I respectfully request that the Commission:

Zone my property as Rural Living Zone D (RLZ-D) with environmental priorities managed through existing codes and overlays.

This outcome is consistent with:

- The property’s long-standing residential use
- The surrounding settlement pattern
- The intent of the planning framework
- Fair and equitable treatment of landowners

At a recent Council meeting it was implied that our motivation to contest LCZ was to subdivide our blocks. This is unsupported criticism and reflects the seemingly intractable consciousness behind the drive to implement LCZ. Rural Residential owners provide a significant free workforce to manage areas on the interface of bush, coast, country and town. While I agree that Tasmania's natural should be protected, this form of 'future proofing' has negative ramifications that will affect good will and stymie our future activities on the land. The Agency and hard work needed to retain present values, can be done best through RLZ as it has been done historically through ELZ and Rural Residential zonings. Rezoning to LCZ would harm our continuous use of the land as allowed when purchased.

Thank you for considering this submission.

Yours sincerely,

Hilary Adele Fletcher

 Snug

The following information will be provided before the representation hearing.

Ref: supporting materials section 1. Early History of settlement and anecdotal information.

Ref: supporting materials section 2. showing visual history and changes through the years

Ref: supporting materials section 3. showing Natural Values Mapping and Overlays.

Ref: supporting materials section 4. Our continuing business and Future vision for land use.

Ref: supporting materials section 5. Characteristics of this property and how we work on the land.

Ref: supporting materials section 6. Irenelncs' zoning maps of the Snug Area.