
From: [REDACTED]
Sent: Monday, 4 May 2026 8:49 PM
To: Kingborough LPS
Cc: William Bylett
Subject: Tasmanian Planning Scheme - Kingborough draft Local Provisions Schedule (LPS)
Attachments: TPS representation - [REDACTED].pdf; Email re PTR.docx

Dear Mr Heath

Please find attached my submission in response to your letter dated 2 April 2026.

Kind regards
William Bylett

Submission to the Tasmanian Planning Commission

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

Name	William Charles Bylett
Date	4 May 2026
Property Address	██████████ Snug
Title Reference	Volume ██████ Folio ██████
PID	██████████
TPC Reference	DOC/26/36829
Exhibited Zone	Landscape Conservation
Proposed	Landscape Conservation
Requested Zone	Rural Living Zone D
Alternate Requested Zone	Rural

To the Tasmanian Planning Commission,

Hello, my name is William Bylett. Thank you for the chance to speak about my land at ██████████
██████████ Snug.

I object to its rezoning under the Irenelnc review to the application of Landscape Conservation Zone (LCZ) to my land is inconsistent with section 34 of the Land Use Planning and Approvals Act 1993 (LUPAA), the LPS Section 8A Guideline No. 1, and the Southern Tasmania Regional Land Use Strategy (STRLUS).

I respectfully ask the Commission to apply the **Rural Living Zone (RLZ) D** to my land or, alternatively if the TPC does not agree that I should be zoned RLZ, I request my land to be zoned **Rural Zone**, in line with the original purchase, zoning allowances, and the site's current or potential future residential use.

Background

My family have lived on and farmed land at ██████████ since 1901. I am the fourth generation of the Bylett's to live and farm on this land and my daughters are the fifth generation. I continue to use the land caring for natural values, running a farm and maintain fire safety.

My ancestors have farmed land at [REDACTED] in varying ways including:

- splitting shingles and palings;
- growing loganberries, raspberries, blackcurrants and gooseberries. Pickers were employed during harvesting season. Potatoes were also grown and sold locally;
- raising cattle both for the meat market and producing milk;
- saw mill – cutting apple cases until the saw mill was burnt in the 1967 bushfires; and
- cutting long spars and billets and delivering them to Boyer ANM Mill for chipping and grinding for paper pulp.

This land owned by my family was used as saw mill business which was burnt out in the 1967's bushfire and then later for paper pulp and billets as well as general firewood. As owner of the land, I continue to cut firewood for personal heating.

Photos of the old sawmill





Log Loading Ramp



Tree stump next to Log landing loading ramp



Tree stump from when the sawmill was in operation



Split wood stacked and left near the saw



While I agree that Tasmania's landscapes should be protected, I believe this is best done through RL Zoning. Rezoning to LCZ would harm our continuous use of the land and as you can see, my land at [REDACTED] has been continuously used for timber production since our ancestors bought it, therefore should not be rezoned Landscape Conservation Zone.

I have undertaken a preliminary assessment in relation to applying for a Private Timber Reserve (PTR) which would enable me to continue to harvest trees within the PTR area.

As most of the timber is regrowth from the 1967 bushfires, it is now reaching a stage where selective milling may be appropriate in the future. Any milling would involve carefully selected individual trees and sustainable practices. Attached is an email from Amy Robertson, Independent Forester, which confirms my land is suitable for a PTR and I will be applying for a PTR in the near future.

My latest notice of valuation issued by the Office of the Valuer-General has the Classification listed as Residential. Although our land is greater than 10 hectares, there is no maximum size stated for RLZ and RLZ D would prevent further subdivision.

NOTICE OF VALUATION - TASMANIA		Land Tasmania
Valuation of Land Act 2001		
PropertyID:	[REDACTED]	Page 1 of 1
Valuation District:	KINGBOROUGH	PID: 5793564
Classification:	Residential	
Locality:	SNUG	
Address:	[REDACTED]	
	SNUG TAS 7054	

The bushland consists significantly of native regrowth following the 1967 bushfires and therefore not intact old growth forest. The IreneInc report explicitly states that regrowth does not justify LCZ.

LCZ DOES NOT COMPLY WITH LUPAA ZONE GUIDELINES

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.'

Originally, my land was zoned Rural Resources and then was changed to Environmental Management and Environmental Living. The land should never have been moved from a Rural zone.

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

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 IreneInc'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.

LCZ DOES NOT COMPLY WITH LUPAA OBJECTIVES

LUPAA Schedule 1, Objective (b), aims for 'fair, orderly, and sustainable' land use. Applying LCZ conflicts with this objective. It is unfair to remove permitted residential use; applying LCZ represents a **net reduction** in existing land use rights. The clear 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 IreneInc chose as their model three councils that applied LCZ heavily.

Many councils, including Kingborough in 2019, recognised that LCZ could lower land value, affect insurance and finance, and prevent future dwellings on empty blocks – not meeting the goal of sustainable development that supports communities to provide for their **social, economic** and cultural well-being...’ (clause 1 (a), Schedule 1 – Objectives).

RLZ IS THE APPROPRIATE ZONE

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 land.

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 land’s size of 15.06 ha aligns with RLZ D with a minimum lot size of 10 ha as there is no maximum lot size.

THE IRENEINC EVALUATION PATHWAY (DECISION TREE)

IreneInc 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 land 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 the land.

The review for my locality (Snug/Coningham) is stated as generally meeting strategic intent for living. My land has established evidence of timber production activity.

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'. 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'.

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, on the northern side of the ridge.

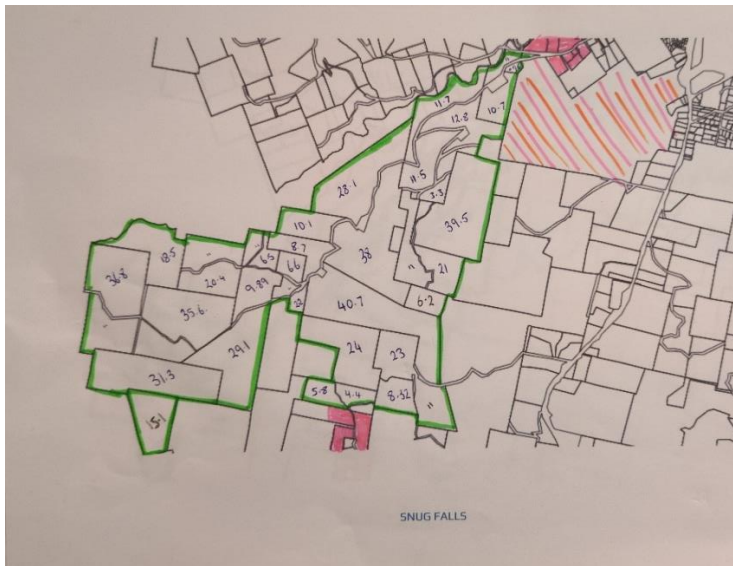
These biases overlook the fact that residents live just minutes from Snug township, where they shop, support local businesses, send children to school, recreate, and work. The reliance on a desktop analysis, which can't see beyond tree canopies and often lacks on-the-ground insight, leads to subjective judgments about rural settlements. For example, the IreneInc report notes that three adjoining properties on Snug Tiers Road display 'a consistent pattern of rural living,' as does my land, yet it is still proposed to be part of the LCZ.

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

Homeowners in our 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 land among 30 others in Snug

Falls, with lot sizes from 0.96ha to 40ha, a pattern established since the early 1800s. Our settlement at Snug Falls adjoins land proposed for RLZ at [REDACTED], and [REDACTED].



The property at [REDACTED], Oyster Cove (bordering my land) is proposed for Rural Zone. Part of [REDACTED], Oyster Cove is proposed for Rural Zone and part is proposed for RLZ B, [REDACTED], Oyster Cover is also proposed RLZ B.

2. A pattern of 'detached dwellings and outbuildings', which IreneInc admits is "generally met, as many lots have identified residences and cleared areas". As you can see from the attached map, you can see that 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 land was always used for various timber productions.

ASSESSING LANDSCAPE VALUES

The STRLUS CV 4.1 states that **community consultation** should determine landscape values. Irenelnc admits in review hearings that they didn’t consult. This means the assessment of whether properties meet ‘landscape values’ is now entirely based on the Planning Authority’s judgment.

Irenelnc’s choice of dictionary terms ‘hilly places’ and ‘bushland,’ and focus on tree-centric descriptions, i.e.: ‘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.

This overlooks the value of other features like waterways, fields, foraging areas, and the importance of varied terrain (grasslands, clearings, open areas, trails) for different species habitat. Such diversity is vital for a healthy rural or biodiverse landscape and aligns with evidence that people prefer varied scenery, including homesteads, sheds, and domestic animals.

The lack of consultation and reliance on terminology that favours the Planning Authority’s narrow definition results in a flawed or biased assessment:

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. You can see on the attached map that there’s intent/logic.
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 land 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".
5. Irenelnc relied on overlays in a **desktop assessment** to identify landscape or environmental features across the locality, ignoring the challenges of topography and identifying these (i.e., through the tree canopy) by aerial images alone. Evidence-based alternative reports or maps of individual properties' natural settings are needed.
6. The scenic protection overlay is broadly applied to properties over 100m above sea level. The photos used in the report, sourced from [realestate.com](https://www.realestate.com.au), 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 almost all homes on Snug Falls/O Briens Rd cannot be seen from vantage points and the scenic protection overlay will continue to protect these landscapes.

Channel Highway Central and Lower Snug



Channel Highway Kettering and Kettering Jetty



My land has minimal (if any) visual impact from the Channel Highway or the water.

SPOT ZONING, SPLIT ZONING AND FRAGMENTATION

The TPS aims to prevent spot zoning, yet IreneInc suggests Rural/LCZ split zones on properties near my land, which could cause mismatched zone priorities and land use. It's also **more logical** that the rural activity forms part of an **overall Rural Living community pattern**. There is arguably less fragmentation created by leaving one spot zoned Rural property within an RLZ settlement, than proposing multiple restrictive split zonings.

IreneInc have also shown that their application of this method is inconsistent. For example, a large lot of 108.84ha at 2274 Channel Highway is split zoned Rural/RLZ and abuts ELZ, RLZ, and Low Density Residential zones, while smaller ELZ parcels have been denied RLZ at all.

My land's location next to properties proposed both Rural and Rural/LCZ shows previous zoning errors are more likely, that a lot showing intense rural activity is better matched to adjacent living zones like ELZ or RLZ.

BALANCING LANDSCAPE 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, **absolutely guaranteeing** a change in “character and amenity”.

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 land, 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 existing land management, bushfire mitigation efforts, biodiversity initiatives, and 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’ the landscape that we’ve proven we can already care for on our own.

IreneInc suggest that LCZ zoning near Snug Recreation Area 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.

Rural Residential owners provide a significant free workforce to manage areas on the interface of bush, coast, country and town. They need to be able to continue to mitigate natural disaster, care for native species, maintain trails, carriage ways and fire access, and remove invasive pests, which is at risk in the LCZ. 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.

A bushfire-prone area overlay applies to my land in accordance with any overlay map approved by the Tasmania Fire Service. The purpose of the bushfire prone code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires. If my land is zoned landscape conservation zone this will greatly affect my ability to prepare for any potential bushfires.

SUMMARY

Throughout the LPS process, Kingborough Council has failed to consult the community and has not followed the objectives of LUPAA, which emphasise fair land use and community involvement. Their focus on environmental protection seems aimed at removing private land rights, risking long-term harm to residents' well-being and creating potential future financial and legal challenges.

I appreciate the TPC listening to my concerns within this letter and respectfully ask for rezoning properties from ELZ to more restrictive zones to stop. Specifically, I request that the TPC direct my land to be zoned from the ELZ to the **Rural Living Zone D** or **Rural Zone**, with environmental priorities managed by existing natural values codes.

I submit that:

1. The application of the LCZ to my land is inconsistent with the Zone Guidelines (Guideline No. 1) and does not satisfy the requirements of section 34 of LUPAA.
2. The LCZ is prohibited by Zone Guideline LCZ 4(a) where, as here, the priority of the land is residential use.
3. The Rural Living Zone satisfies the criteria in Zone Guidelines RLZ 1(a) and RLZ 2(b) and is the appropriate zone for my land.
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 land within the **Rural Living Zone D**;
- If the Commission does not agree that my land should be zoned Rural Living Zone D, I request that my land be zoned **Rural**.

Yours sincerely,

William Bylett

Ph: [REDACTED]

Email: [REDACTED]

From: Amy Robertson [REDACTED] >
Date: 4/5/26 7:09
pm (GMT+10:00)
To: "Annette L. Bylett" [REDACTED] >
Subject: Report on proposed PTR at [REDACTED]

Hi Annette and family,

Thank you for seeking my advice as you continue to manage your forest and apply for a Private Timber Reserve (PTR) on your family's various properties in Snug. The draft report attached provides advice on your obligations in using your forest resources, based on a field visit I conducted on 3/5/26. Titles considered in this report include:

Title reference	Owner
[REDACTED]	Annette Bylett
[REDACTED]	Annette Bylett
[REDACTED]	William Bylett
[REDACTED]	William Bylett Michelle Bylett
[REDACTED]	Andrew Bylett
[REDACTED]	Andrew Bylett
[REDACTED]	Andrew Bylett (not visited; update in final report)

The PTR would provide you with both benefits and obligations with regard to the conduct of forest operations (including establishment, growing, harvest of trees and related land clearing, burning, road construction or quarrying) within the PTR area.

Forest operations need to comply with both the local planning scheme and the state's forest practices system, and may on occasion need to respond to Commonwealth Environmental Protection and Biodiversity Conservation (EPBC) legislation. This report goes through these regulatory requirements and details some on-ground observations and their implications.

We discussed that continuing your small-scale firewood production of up to 100t per calendar year is likely to be a low cost but profitable endeavour for your property. Some of your regrowth trees are becoming big enough to produce sawlogs, but adding another couple of decades of growth will give you an excellent sawlog yield from this productive site, either via clearfell or

patch-scale harvest of the tall trees. Road access for a large-scale operation may be an issue, but there are ways of managing this where high quality product underpins the operation.

On the dry forest site with poorer timber quality, gradual production of a smaller yield of firewood would be considered sustainable with attention paid to ensuring regeneration and retaining hollow-bearing trees.

I also identified that establishing a blackwood plantation on the wetter ground around your top paddock spring could be a useful investment, with guidance available from PFT's Info Sheet series.

Kind regards,

Amy Robertson
Independent forester

BEnvSci, DipNRM, GAICD, MFA, FPO (Planning)

Phone 0407 651 200 / Email amyware@yahoo.com / Mailing PO Box 177 Geeveston TAS 7116

UN Intergovernmental Panel on Climate Change (IPCC): "a sustainable forest management strategy aimed at maintaining or increasing forest carbon stocks while producing timber, fibre, or energy, generates the largest sustained benefit to mitigate climate change."

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