
From: Kerry Vince <[REDACTED]>
Sent: Wednesday, 29 April 2026 10:33 AM
To: Kingborough LPS
Subject: CM: Submission Kingborough LPS Direction 69 [REDACTED] Sandfly
Attachments: [REDACTED] Title 44005 1.pdf; [REDACTED] Title 47135 1.pdf

Please find my Submission for my properties at [REDACTED] Sandfly.
Also note that my mailing address is [REDACTED] Allen's Rivulet Tas 7150.

Regards

Kerry Vince

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29 April, 2026

Kerry Vince

C/- [REDACTED]

Sandfly TAS 7150

Phone: [REDACTED]

Tasmanian Planning Commission

Level 3, 144 Macquarie Street

Hobart TAS 7000

Via email: KingboroughLPS@planning.tas.gov.au

To the Tasmanian Planning Commission,

I write in response to the Tasmanian Planning Commission's correspondence dated **2 April 2026**, advising that the *Irene Inc Direction 69 report* recommends the retention of my property within the **Landscape Conservation Zone (LCZ)** under the draft Kingborough Local Provisions Schedule.

I did not lodge a representation during the public exhibition period, as I was not aware at that time that my property was proposed for inclusion within the LCZ. Since becoming aware of the proposed zoning outcome, I have corresponded with the Commission in relation to the draft LPS. I understand that written submissions may be considered at this stage of the process as part of the Commission's ongoing assessment, noting that the provision of written material does not of itself confer an entitlement to a hearing and that any further engagement is a matter for the Commission's discretion.

In that context, I provide the following submission for the Commission's consideration.

PROPERTY DETAILS

Landowner name(s)	Kerry Vince
Property address	P [REDACTED] Sandfly
Title reference (folio)	[REDACTED]
Lot size (approx.)	0.93ha
Locality	Sandfly & Kaoota
Current IPS zone	Environmental Living Zone (ELZ)
Draft LPS exhibited zone	Landscape Conservation Zone (LCZ)
Irene Inc recommended zone	Landscape Conservation Zone (LCZ) — unchanged
Zone sought in this submission	Rural Living Zone A

1. Purpose of Submission

This submission is made in response to the Tasmanian Planning Commission's consideration of the draft Kingborough Local Provisions Schedule and the associated Irene Inc Direction 69 review, which recommends the application of the Landscape Conservation Zone (LCZ) to the subject land on [REDACTED] Sandfly.

The submission provides a site-specific planning assessment prepared using the same evaluative framework applied by Irene Inc, including assessment of landscape character, settlement context, comparative scale, relative landscape risk, and the role of overlay controls.

When assessed through that framework, the subject land does not exhibit the characteristics of land whose primary or defining purpose is landscape conservation. Rather, it forms part of an established rural living settlement pattern, notwithstanding that the land is presently vacant, and is more appropriately zoned Rural Living Zone (RLZ).

2. Site Description and Local Context

The subject land comprises a vacant allotment of approximately 0.93 hectares, located on [REDACTED] Sandfly.

Although currently undeveloped, the land has been:

- Held in private ownership for over 40 years
- Retained throughout multiple planning scheme cycles
- Part of an established settlement pattern along [REDACTED]

Talbots Road comprises approximately 25 allotments, with an average lot size of approximately 8.06 hectares. The subject land is:

- The third smallest allotment on the road
- Substantially smaller than the prevailing rural living pattern
- Distinctly constrained in scale relative to surrounding land

Only five allotments on [REDACTED] have been identified for LCZ under the draft LPS. The remainder are zoned Rural Living Zone, notwithstanding similar landform, vegetation and landscape context.

3. Planning Significance of Long-Term Ownership of Vacant Land

While the land is vacant, the duration of ownership is a relevant and material planning consideration.

Where land has been held under private ownership for over four decades without being developed, this typically reflects:

- Long-standing settlement intent rather than speculative holding
- Planning framework signals rather than development pressure
- Acceptance of rural living potential subject to constraints

The absence of a dwelling does not indicate conservation purpose. On the contrary, the land's small size and long retention strongly suggest that it has always been intended to function as rural living land within an established settlement pattern, consistent with surrounding allotments.

In this context, vacancy should not be treated as a neutral or weightless attribute. Rather, the combination of **small lot size and long-term private ownership exceeding 40 years** demonstrates that the land has long been positioned within a settled rural living framework, with development timing dictated by personal choice and planning conditions rather than by any underlying conservation function. Consistent with the Commission's approach elsewhere, long-term restraint in developing settlement land is not a basis for increasing zoning constraint.

4. Landscape Character and Functional Role

Irene Inc's framework distinguishes between:

- Landscapes whose character is shaped by settlement patterns; and
- Landscapes whose defining role is landscape protection or conservation.

The landscape character of the subject land is properly understood as part of a settled rural living landscape, even though the lot remains vacant.

This is evidenced by:

- Its location within a road already defined by rural living allotments
- Its small size relative to surrounding parcels

- The absence of any independent conservation or buffer function
- The fact that settlement on comparable land has defined the locality's character for decades

The land does not operate as a scenic backdrop to settlement. It sits *within* settlement.

In this context, vacancy does not equate to conservation significance. Landscape character is not assessed solely on the presence or absence of a building, but on the role land plays within the broader settlement fabric.

5. Lot Size and Capacity Considerations

The subject land, at 0.93 hectares, is significantly smaller than the average allotment along [REDACTED]

This has several planning implications:

- The land cannot reasonably perform a broad landscape conservation function
- Any development would be inherently limited in scale and intensity
- Visual and landscape impacts would necessarily be constrained by lot size
- The land cannot act as a landscape buffer or transition zone

Applying LCZ to one of the smallest allotments within a rural living road characterised by much larger holdings inversely applies restriction relative to scale.

This outcome is inconsistent with Irene Inc's risk-based methodology, which considers capacity, intensity and relative impact, not just terrain.

6. Settlement Pattern on [REDACTED]

[REDACTED] functions as a rural living locality, not as a linear conservation corridor.

Key characteristics include:

- Predominantly Rural Living zoning
- Dispersed residential development
- Private freehold tenure throughout
- Long-established lot structure

Only five allotments along the road are proposed for LCZ application. The remainder, including larger and equally elevated parcels, are zoned Rural Living Zone.

This selective application raises a central strategic question:

What materially distinguishes the subject land from the majority of [REDACTED]?

No functional, landscape, or settlement-based distinction has been identified.

7. LCZ Mapping and Hill-Based Classification

As with nearby land, LCZ application appears to correlate strongly with topography, rather than with land use function or settlement role.

The zoning boundary appears to follow:

- Areas of increased elevation
- Ridgeline mapping outputs
- Terrain modelling thresholds

This suggests a landscape classification driven primarily by slope and hillform, rather than by an assessment of:

- Settlement history
- Lot scale
- Capacity for development

- Relationship to surrounding zones

Irene Inc's framework explicitly cautions against treating terrain as a proxy for conservation purpose. Many rural living areas in Kingborough are elevated without warranting LCZ.

8. Relative Landscape Risk of the Subject Land

When assessed using Irene Inc's risk framework, the subject land presents low to moderate landscape risk.

The subject land's **very limited area of approximately 0.93 hectares**, when considered against an average lot size of approximately **8.06 hectares** along [REDACTED] further constrains both development capacity and potential visual impact. In proportional terms, the land presents **materially lower landscape risk** than many larger allotments along the same road that have been zoned Rural Living. This size differential reinforces that LCZ application here would be disproportionate to any realistic landscape impact.

This is supported by:

- Its small physical footprint
- The surrounding settlement context
- The limited scale of any future development
- Extensive overlay controls

Landscape risk here relates to incremental change within an established rural living landscape, not the introduction of settlement into an undeveloped conservation area.

9. Role and Sufficiency of Overlays

The subject land is affected by overlays addressing:

- Scenic protection
- Priority vegetation
- Bushfire risk
- Landslide hazard

These overlays are designed precisely for the type of land at issue — land that is capable of rural living use but subject to sensitivity.

Applying LCZ in addition to these overlays would duplicate constraint without improving landscape outcomes, contrary to Irene Inc's emphasis on proportional regulation.

10. Comparable Zoning Treatment and Precedent Consistency

The Tasmanian Planning Commission has consistently sought to:

- Avoid zoning anomalies within settled localities
- Ensure zoning reflects land function, not isolated attributes
- Prevent LCZ operating as a default successor to ELZ

In comparable circumstances — including small vacant allotments within settled rural living areas — the Commission has favoured Rural Living Zone with overlays, particularly where:

- Settlement context is established
- Lot size constrains impact
- Development would be incremental

Applying LCZ to one of the smallest and longest-held allotments on Talbots Road would be inconsistent with these principles.

11. LCZ and Retrospective Reclassification of Settlement Land

Although vacant, the subject land has formed part of a settled rural locality for over 40 years.

Applying LCZ in this context effectively reclassifies long-established settlement land as conservation-dominant solely because development has not yet occurred.

Such an outcome penalises restraint and long-term ownership, rather than responding to landscape function or risk.

12. Planning Conclusion

When assessed holistically and consistently with Irene Inc's framework, the subject land:

- Has been held in private ownership for over 40 years
- Is one of the smallest allotments on [REDACTED]
- Forms part of a predominantly Rural Living locality
- Presents low to moderate landscape risk
- Is adequately regulated through overlays

The proposed application of the Landscape Conservation Zone is not supported by the evidence.

13. Summary of Findings

- The land's small size (0.93 ha) combined with over **40 years of continuous private ownership** indicates settled rural living intent with negligible incremental landscape risk.
- The land has been privately owned for over 40 years within an established rural living locality.
- At 0.93 ha, it is the third smallest allotment on [REDACTED]
- The road comprises approximately 25 allotments with an average size of 8.06 ha.
- Only five allotments on [REDACTED] are proposed for LCZ; the remainder are RLZ.
- The land does not perform a landscape conservation or buffer function.
- LCZ application appears driven by terrain rather than settlement logic.
- Overlays provide sufficient protection for landscape and environmental values.
- Applying LCZ would create an anomalous zoning outcome within a settled locality.

14. Requested Outcome

It is respectfully requested that the Tasmanian Planning Commission determine that:

1. The Landscape Conservation Zone not be applied to the subject land on [REDACTED] Sandfly; and
2. The land be zoned Rural Living Zone, reflecting its scale, settlement context, long-term ownership, overlay coverage, and consistency with zoning treatment along [REDACTED]

Yours sincerely,

[REDACTED]

Kerry Vince