
From: Scott Laughlin [REDACTED]
Sent: Sunday, 3 May 2026 5:36 PM
To: Kingborough LPS
Cc: Scott Laughlin; Kylie Matten
Subject: Submission - Kingborough LPS Direction 69-[REDACTED] Blackmans Bay

Date: 03/05/2026

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 included within the Rural Living Zone (RLZ) under the draft Kingborough Local Provisions Schedule (LPS), rather than remaining in the Landscape Conservation Zone (LCZ) as exhibited.

I previously made a representation on the draft LPS and that representation has been heard by the Commission. I understand that by this letter the Commission is providing me with the opportunity to make a further written submission in relation to the Ireneinc report recommendations. I take up that opportunity and submit as follows.

Landowner name(s)	Scott Francis Laughlin
Property address	[REDACTED], Blackmans Bay, Tasmania, 7052
Title reference (folio)	[REDACTED]
Lot size (approx.)	2.9 Ha
Locality	<i>Blackmans Bay</i>
Current IPS zone	<i>Environmental Living Zone (ELZ)</i>
Draft LPS exhibited zone	<i>Landscape Conservation Zone (LCZ)</i>
Ireneinc recommended zone	<i>Rural Living Zone (RLZ) — No Category Specified (that I can find) on the Ireneinc Report or Interactive Map.</i>
Position in this submission	<i>Accept RLZ — support and argue correct subcategory - B</i>

I welcome and support the Ireneinc recommendation that my property be included within the RLZ under the draft Kingborough LPS. The RLZ is a significantly more appropriate zone for my property than the exhibited LCZ.

I make this submission to: (1) provide the Commission with property-specific evidence supporting the RLZ recommendation; (2) identify the most appropriate RLZ subcategory for my property; and (3) ensure the Commission does not revert to LCZ at the final determination stage.

The RLZ has four subcategories with different minimum lot sizes. Under Zone Guideline RLZ 3, the appropriate subcategory must reflect the existing pattern and density of development within the rural living area or be supported by strategic justification. The table below summarises the options:

Subcategory	Min. lot size (acceptable solution)	Performance criteria	Typical use context
RLZ A	1 ha	8,000 m ²	Smaller rural lots with established residential settlement
RLZ B	2 ha	1.4 ha	Medium-sized rural residential lots, some subdivision potential
RLZ C	5 ha	4 ha	Larger rural residential lots, limited subdivision
RLZ D	10 ha	8 ha	Large lots, ELZ transition where no further subdivision intended

The subcategory I seek for my property is:

- Rural Living Zone B (minimum lot size 2 ha) — the existing lot pattern in my locality is consistent with lots of approximately 2–5 ha.
- Properties in the surrounding locality typically range from 2 ha to 5 ha. My property is 2.9 ha. This is consistent with RLZ B which has a minimum lot size of 2 ha. Applying RLZ B.

Zone Guideline RLZ 1(a) provides that the RLZ should be applied to residential areas with larger lots where the existing and intended use is a mix between residential and lower-order rural activities, with priority given to the protection of residential amenity. This accurately describes my property.

My property contains a house / dwelling constructed in 1996], with garage, sheds and outbuildings. The primary use is residential. There is also a home-based business, hobby animals a vegetable garden and some pasture. This is precisely the mix of residential and lower-order rural activities described in RLZ 1(a).

Zone Guideline RLZ 2(b) confirms that the RLZ may be applied to ELZ land where the primary strategic intention is for residential use and development within a rural setting, and a similar minimum allowable lot size is being applied. My property satisfies both elements: the primary intention is residential, and the RLZ subcategory I am seeking applies a minimum lot size that is consistent with or larger than the current lot size.

The primary strategic intention for my property has always been residential — it has been used as a residence since being built. My property is 2.9 ha. The RLZ B minimum lot size of 2 ha is consistent with this existing lot size.

Zone Guideline RLZ 3 provides that the differentiation between RLZ A, B, C and D should reflect the existing pattern and density of development within the rural living area or be supported by further strategic justification. My preferred subcategory — RLZ B — directly reflects the existing lot size pattern in my locality.

The Ireneinc Locality Report for my property confirms this as described within the settlement pattern noted in the report. Properties in my immediate area have lot sizes of approximately 2 ha or greater. My property of 2.9 ha is consistent with this pattern, supporting the application of RLZ B.

The Ireneinc framework identifies the following as indicators of rural living settlement characteristics: at least 10 smaller blocks generally ranging in size between 1–15 ha with a consistent lot pattern; a consistent pattern of detached dwellings with associated outbuildings; and visual evidence of rural activities. My property and the surrounding settlement display all of these characteristics.

My property is part of a cluster of residential properties along and off [REDACTED], & [REDACTED], each with lot sizes of approximately 2 ha to 5 ha. The majority of properties contain a dwelling with associated outbuildings, and the area has been a settled rural residential community since the early 1960's to my knowledge. The Ireneinc Locality Report confirms this and this fits within D2.1 as an established residential settlement.

Zone Guideline RLZ 4(b) provides that the RLZ should not be applied where land contains important landscape values identified for protection and conservation, unless those values can be appropriately managed through the application of the relevant codes. The TPC panel confirmed at Day 20 [02:33:54] that the Priority Vegetation Area (PVA) overlay and Scenic Protection Code (SPC) do the landscape-protection work in many cases, removing the need for LCZ. Any landscape values present on or near my property can be managed in this way.

My property is managed within the following overlays Scenic Landscape Area, Landslip Hazard Area & Bushfire Prone Area. The Natural Assets Code does not apply to native vegetation on my title. The combined effect of these overlay controls and the RLZ minimum lot size provides adequate management of any landscape values without the need for LCZ.'

While I support the RLZ recommendation, I am concerned that the Commission may revert to LCZ rather than adopting Ireneinc's recommendation. I place the following matters on the record.

The Ireneinc LCZ Review documents that the TPC found Council's initial LCZ application was often inconsistent with the Zone Guidelines and with surrounding land. The exhibited LCZ for my property was part of a blanket application covering approximately 75% of ELZ parcels — an approach the TPC itself queried repeatedly. Ireneinc's recommendation to apply RLZ to my property is the product of a more rigorous, property-level analysis that should be preferred over the exhibited LCZ.

Chair Nick Heath confirmed at Day 20 [06:45:48] that the Commission will decide on section 34 LUPAA criteria and is not bound by Council's exhibited position or by Council's 16 March 2026 resolution favouring the 'least restrictive alternative'. The Commission is therefore free to adopt the RLZ recommendation, and I urge it to do so.

Kate Heckelmann (Ireneinc) confirmed at Day 20 [05:53:00] that the evaluation framework is a tool, not a statutory instrument. The Commission may adopt, modify, or depart from Ireneinc's recommendations as it sees fit under section 34 LUPAA — but where Ireneinc's analysis supports RLZ and is consistent with the Zone Guidelines, as here, the Commission should adopt it.

In Conclusion and for the reasons set out above, I submit that:

1. The Ireneinc recommendation to include my property within the RLZ is correct and is consistent with the Zone Guidelines (Guideline No. 1) and the requirements of section 34 of LUPAA.
2. The exhibited LCZ was not appropriate for my property and should not be reinstated. The RLZ recommendation reflects a more rigorous analysis and should be adopted.
3. The most appropriate RLZ subcategory for my property is RLZ B, which reflects the existing pattern and density of development in my locality under Zone Guideline RLZ 3, and significantly constrains 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.

I respectfully request that the Commission:

- Adopt the Ireneinc recommendation and include my property within the RLZ B in the Kingborough Local Provisions Schedule; and
- Not revert to the exhibited LCZ, which is not supported by the site-specific evidence for my property.

I request that the folio of the Register [REDACTED] at [REDACTED], Blackmans Bay, be included within the Rural Living Zone B, in the Kingborough Local Provisions Schedule, consistent with the Ireneinc recommendation.

Kind regards

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Scott Laughlin

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