
From: Mark Rapley <[REDACTED]>
Sent: Monday, 4 May 2026 9:26 AM
To: Kingborough LPS; TPC Enquiry
Cc: Gary Kuehn
Subject: Submissions | Gary Kuehn | Property Owner | PID [REDACTED]
Attachments: Submission - Gary Kuehn – Property Owner – PID [REDACTED].pdf

To Whom it May Concern,

I represent Mr Gary Kuehn. Mr Kuehn is the registered owner of the property identified by PID [REDACTED].

Attached is his submission in response to correspondence distribute by the TPC on 2 April 2026 to property owners.

Please have regard to the submission and, if possible, arrange for Mr Kuehn to be included **via the email above**, into all future correspondence from the TPC and council, noting that his present usual place of residence is in Alaska, USA.

I note if a formal application is required to have him included (and his submissions taken into account) at this stage of the process then please advise, as he wishes to make that application.

In the interim if you have any questions, you are welcome to contact me [REDACTED]. Gary is also contactable on the email above and is available to talk to when the time zones align via applications such as “teams”, “Whatsap” and “Zoom”.

Finally, you will note that Gary has been copied into this email and has endorsed the attached submissions.

Kind regards,

[REDACTED]

Mark Rapley (SC)

[REDACTED]

**Submission to Tasmanian Planning Commission Regarding Changes to
Planning Scheme.**

Gary Kuehn – Property Owner – PID [REDACTED] (the Property)

[REDACTED]

Submission: The Property be zoned “Rural Living”

1. Introduction

I am the registered owner of the property identified by PID [REDACTED]

My usual place of residence is in Alaska, USA.

While it is unclear why, I have only very recently become aware of the proposal to change the zoning of my land from Environmental Conservation to Landscape Conservation. I strongly oppose this recommendation.

I did not make a formal representation during the public exhibition period and have not previously had correspondence with the Commission or Council regarding the draft Local Planning Scheme. This is because until now I have had no notice of the proposed changes.

I understand that a recent letter has been sent to property owners impacted by the proposed changes. While I have not seen the letter, I am aware of its existence because a neighbour was kind enough to advise me of their response to the letter. It was this correspondence on Friday 1 May 2026 that brought the issues to my attention.

I understand the letter has been sent to ensure procedural fairness and now provides me with an opportunity to formally participate at this stage of the process.

I understand that making a submission does not confer a right to be heard, but that the Commission may decide to invite me to discuss the matters raised in this submission and to take into account this submission. I would appreciate that opportunity and respectfully suggest that no prejudice has been caused to the Council or the Commission by way of the lateness of my participation in the process.

Given that I now understand that Environmental Conservation zone will no longer be a zone type in the new scheme, it is my submission the Property be zoned Rural Living – specifically “Rural Living Zone D (minimum lot size 10 ha)”.

2. The Property Characteristics

The Property characteristics are best described in the figures immediately below and annexure “A” which contains a number of photographs depicting the Property.

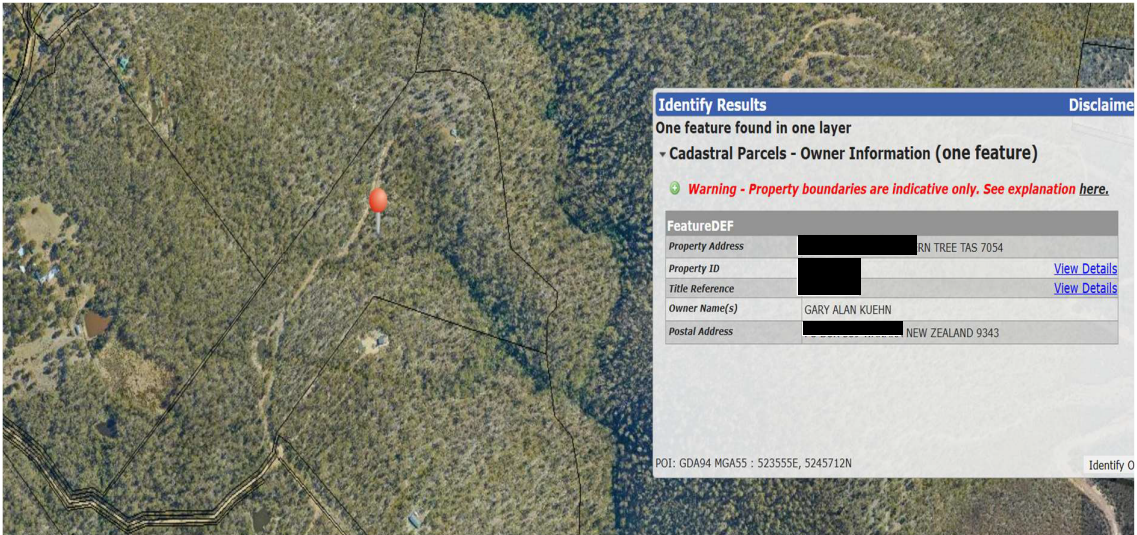


Figure 1: The Property – Topography.

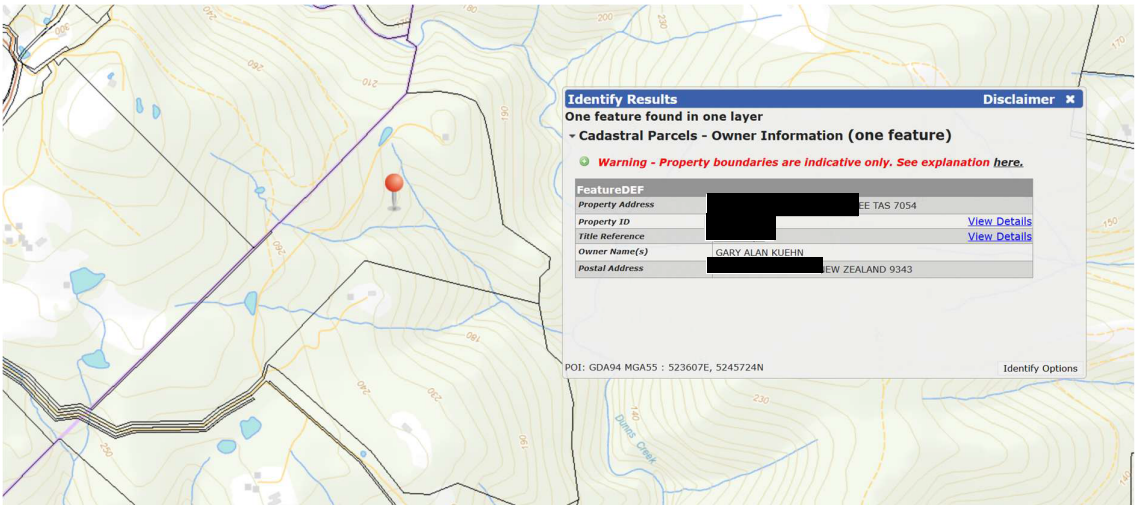


Figure 2: the Property – Aerial

Of particular relevance to this submission is the fact that over the past 20 years the Property has been developed by me to facilitate the future building of an appropriately designed dwelling upon it. The development has included at significant cost an access road, the clearing and hardening of a dwelling site, bushfire management and environmental weed management.

3. Submissions

- a. The Property is best suited to a zoning **that primarily promotes** the future building of a appropriately designed and constructed dwelling whilst retaining the Property's landscape qualities which are currently adequately protected by covenant.
- b. By reference to the each of the zone's criteria it is my submission that the Rural Living zone better achieves the building of an appropriate dwelling upon the Property. This is because in the Rural Living zone a residence is a "non-permitted use" while still facilitating the retention of natural and landscape values, compared to Landscape Conservation zone which primarily focuses on landscape protection and only then on other "compatible" uses, such as the building of a residence. As such, given the characteristic of the Property (i.e. the pre-existing development and the use of neighbouring properties primarily for residence), the Property is best matched to a zoning of Rural Living.
- c. As indicated above, while it is that the Property does not have a current dwelling, significant investment has been made to accommodate one in the future. This includes but is not limited to:
 - a. the installation of a gravel access road of approximately 700m in length;
 - b. the installation of a dwelling site (levelled and hardend).
 - c. the ongoing maintenance of bushfire protection zones.
 - d. active weed (Spanish heath) management (at least annually).

- e. the installation of dams for bushfire protection.
- f. the installation of water tanks.
- d. To zone the property LCZ will devalue the investment made into the Property by me, while adding nothing “extra” to the protection of its natural values which are currently protected by way of covenant.
- e. The majority of the neighbouring properties have existing dwellings and as such the Property should not be zoned in a way that is more prejudicial to achieving that outcome for it.

In addition to this submission, I wish to expressly adopt the submissions / representation of Emine Lewis which all of which are relevant to the Property and are therefore adopted by me.

Monday, 4 May 2026

ANNEXURE “A” – Photographs



Access 100m – 1st dam on left



Open Bushland



Access 350m



Access point



Cleared understorey for bushfire management



Second Dam along access



Hard stand area for future dwelling