

From: [REDACTED]
To: [TPC Enquiry](#)
Cc: Development@kingborough.tas.gov.au; [REDACTED]
Subject: Kingborough Draft Planning Scheme | Representation #55 | Paul Rapley | Written submissions for hearing 20 October 2025
Date: Tuesday, 14 October 2025 11:37:14 AM
Attachments: [REDACTED]

To Whom It May Concern,

Please have regard to the **attached** material relevant to the hearing scheduled for Monday 20 October 2025.

I note that the commission should have already received notice of the fact that I will be representing Paul Rapley (my father) at the hearing.

Kind regards,



Mark Rapley (SC)



KINGBOROUGH DRAFT LPS SUBMISSIONS - HEARING 20 OCTOBER 2025
(THE HEARING)

REP #55 | PAUL RAPLEY

PID [REDACTED] Woodbridge TAS 7162 (the Property)

PROPOSED ZONING CHANGE FROM ENVIRONMENTAL LIVING TO LANDSCAPE CONSERVATION

Part A – BACKGROUND

This representation is made in relation to the Property described by PID [REDACTED] also known as [REDACTED] Woodbridge.

It is made in conjunction with submission in support of representations:

1. #430 only in so far as it makes reference to the impact of the proposed rezoning of the Property upon its financial value and the cost of insurance; and
2. #4 in so far as it relates to a directly neighbouring property which shares a majority of issues; and
3. #63 in so far as it makes submission that are relevant to the issue of access to the Property.

The Property forms part of a cluster of semi-rural properties¹, with legal access from [REDACTED].

Under the Kingborough Interim Planning Scheme 2015 (KIPS 2015), all lots within the cluster, including the Property, are zoned Environmental Living.

The draft LPS proposes most of these lots as Rural Zone (RZ) and two, including the Property as Landscape Conservation Zone (LCZ), creating an inconsistent zoning outcome over otherwise comparable land with a common access.

For the reasons detailed below (and for the reasons adopted in representations #430 #4 and #63) it is submitted that the appropriate zone for the Property is Rural Living Zone not Landscape Conservation

¹ PID's [REDACTED] [REDACTED]

The Property

The PID for the property is: PID [REDACTED]. The address is: [REDACTED]
[REDACTED] Woodbridge TAS 7162. The title reference is: [REDACTED] (**the Property**).

Attached is:

- a. FolioPlan [REDACTED] (**Annexure PR-1**)
- b. FolioHistoric [REDACTED] (**the Title**) (**Annexure PR-2**)

Note: Schedule two of the Title records the benefit of a Right of Carriage Way over the reserve road in diagram 7494.

Other Plans

Annexure PR-3 contains aerial pictures of the Property sourced from the List Map and kingborough.maps.arcgis.com as at 9 October 2025. In the annexure, Figure 1 depicts the approximate split between cleared and forested land. Figure 2 is an aerial picture again showing the cleared and forested areas. Figure 3 depicts the proposed zoning being Landscape Conservation.

The Property is bordered by Rural Zoning to the south (Huon Council); and is proposed to be bordered by Rural to the west and north and Landscape Conservation to the east.

Zoning History and Proposal

In 2003 the land was zoned Rural C pursuant to the *Kingsborough Planning Scheme 1988*. In or about 2015, unbeknown to the current registered proprietor, it was re-zoned "Environmental Living" pursuant to the KIPS(2015). It is proposed by the Planning Authority to be zoned Landscape Conservation pursuant to the draft LPS.

Characteristics of the Property

The total area of the Property is approximately 7ac.

It is important to note that approximately 2ac of the 7ac is cleared of forest (**the Cleared Area**). The clearing occurred prior to 1980 when it was that the current registered proprietor purchased the Property.

Contained upon the Cleared Area is:

1. poor quality pasture and bracken ferns;
2. Spanish Heath (***Erica lusitanica***) - a declared weed – under active management; and
3. small amounts of gorse (***Ulex***) –a declared weed – under active management; and

4. a small dam, which is a headwater of Garden Island Creek.

The Cleared Area was originally surrounded by a wire stock fence. It was fenced prior to purchase. While the current proprietor has not, during his tenure, kept stock on the Property, the fencing evidences grazing as an historical use.

The balance (~5ac) is forested with wet sclerophyll which was probably logged prior to the 1967 bushfires, but was significantly damaged at that time. This was stated to the current proprietor at or about the time that he purchased the property and had a forester visit the site at that time.

The forest is now maturing after the current proprietor thinned the understorey in the 1980's and 90's with the view (at that time) to selective logging when the forest matured sufficiently. That intention is no longer held.

Geographically, the Property is located in the [REDACTED] It is not visible from Woodbridge Hill Road or from the Channel.

It is generally facing north east. There are no structures (save for an uninhabitable bush hut built in the 1980's) on the Property.

Internally, it also has evidence of vehicle a vehicle track being constructed at some time prior to the 1980's, probably to facilitate forestry practices in the area at that time.

Annexure PR-4 contains photographs from ground level. In order they are:

1. Photo 1 – Northern most cleared area – approximate area ~2500 Sq. meter. Flat aspect.
2. Photo 2 – Middle cleared area – approximate area ~4000 Sq. meter. North-east aspect
3. Photo 3 – Forested area – ~21000 Sq. meter.

Historical Uses

Prior to ~1980 the Property was used for Forestry and grazing as a part of a larger "farm" which was subdivided over time. The forestry practices are evidenced by access roads with bridges which have deteriorated over time. The grazing use, is evidenced by fencing, as indicated above.

Between approximately 1980 to 2000 forested area was thinned to promote saw log growth with future selective logging in mind. Firewood was also collected. Since approximately 2000 to date the Property has been actively managed for weeds in the Cleared Area, but otherwise left largely untouched.

Access

Rep #4 and #63 addresses the issue of access which is presented in conjunction with this representation.

Neighbouring Properties

Property on Eastern Boundary (PID [REDACTED]) - This Property is proposed to be rezoned from Environmental Living to Landscape Conservation. Representation #4 relates specifically to this property and to the extent that that representation details common issues.

In or about 2022, a Development Approval (**the DA**) was granted for, among other things, a residential dwelling. The dwelling has subsequently been built with the benefit of, and in accordance with, the DA. The approved dwelling is permanently occupied on a site approximately 200m from the Cleared Area on the Property.

It is understood the registered proprietor seeks to have the proposed zoning changed to Rural Living Zone.

The issues raised in representation #4, relating to this property, are in the main common to the issues raised in this representation. This said, it is respectively submitted, but for not having a pre-existing dwelling upon it, the Property's characteristics are better suited to a zoning of Rural Living because it already has two cleared sites for a potential dwelling and ought to be subjected to ongoing weed and bushfire management – which is submitted is best achieved by a zoning of Rural Living Zone.

Property on Northern and Western Boundary (PID [REDACTED]) – is proposed to be re-zoned from Environmental Living to Rural. It is understood the registered proprietors seeks to have the proposed zoning changed to Rural Living Zone. It is noted that this property has significant weed infestations of Gorse and Spanish Heath which ideally should be actively managed which is submitted would be best achieved by a zoning of Rural Living Zone.

Property on Southern Boundary (PID [REDACTED]) – is located in the Huon municipality and has been zoned Rural.

Other relevant Properties – (PID's [REDACTED] and [REDACTED]) share boundaries with the access to the Property, and all but one are occupied. They are all proposed to be re-zoned from Environmental Living to Rural. It is understood that each of the registered proprietors seek to have the proposed zoning changed to Rural Living Zone.

Bridging Statement

The Property's long-established rural-residential function and zoning lineage align with the Rural Living Zone (C) criteria. The proposed Landscape Conservation Zone introduces a new conservation-based policy direction unsupported by historical precedent, established land use, or servicing realities.

PART B - Legislative Test

In determining the zoning for the Property, the Commission must, in priority, have regard to the objectives of the *Land Use Planning and Approvals Act 1993 (LUPAA)*. Schedule 1 of LUPAA details the objectives of the Act. Among other things the objectives of the resource management and planning system in Tasmania is to:

“to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity”

Where “sustainable development” is defined as:

*“managing the use, development and protection of natural and physical resources in a way, or at a rate, which **enables people and communities to provide for their social, economic and cultural well-being.....**” [my emphasis]*

PART C - SUBMISSIONS

Having regard to the background and the legislative framework, the primary submission is that the Property's historical and physical characteristics strongly lend themselves to a zoning of Rural Living Zone not 22.0 Landscape Conservation.

The basis of this submission is as follows.

The Property:

1. is one of eight properties upon a shared access route that ought to be zoned consistently in order to avoid conflict of use as between relative neighbours.
2. is partially cleared of vegetation and has two obvious sites for a dwelling to be constructed.
3. requires active management to reduce a pre-existing environmental weed load (Gorse and Spanish Heath) and should be zoned in way that promotes regular management of at least the Cleared Area
4. was historically used for forestry and grazing.

5. is directly neighbouring a property that was recently lawfully approved for, and now contains, a residence, in circumstances where, the Property's characteristics better suit to that use (i.e. permanent residence) than the neighbouring property.
6. is in a "rural setting" and forms one of a collective of properties (upon the same access) that ideally align with the purpose of the proposed Rural Living Zone which is:

"11.1.1 To provide for residential [use](#) or [development](#) in a rural setting where:

(a) services are limited; or

(b) existing natural and landscape values are to be retained

11.1.2 To provide for compatible [agricultural use](#) and [development](#) that does not adversely impact on residential [amenity](#)

11.1.3 To provide for other [use](#) or [development](#) that does not cause an unreasonable loss of [amenity](#), through noise, scale, intensity, traffic generation and movement, or other off [site](#) impacts."

Applying the legislative purpose, it is clear the Property should be allocated a "zoning" which best promotes, the likelihood of a residence, in the fullness of time, being built upon the Property in the Cleared Area.

This use is most likely lead to:

1. the management of the Cleared Area and in turn benefit the balance of the Property (for example by bushfire and weed management); and
2. the promotion of the well-being of the local neighbours sharing the access route by ensuring consist land management practices.

In conclusion, there is no logical reason, having regards to the objectives of LUPAA, to zone the Property Landscape Conservation versus Rural Living when considering:

1. its physical location (from a landscape and community perspective); and
2. its historical and current characteristic;

Rural Living Zone purposes, on the balance, are a better fit for the characteristics of the property.

Annexure PR-4

Rep #55 | [REDACTED] Woodbridge TAS 7162 | Paul Rapley



Photo 1 - Northern most cleared area – approximate area 2500 Sq. meter. Managed for Spanish Heath and Gorse.



Photo 2 - Middle cleared area – approximate area 4000 Sq. meter. Managed for Spanish Heath and Gorse



Photo 3 - Forested area – ~21000 Sq. meter. Dominant bracken understorey.

Annexure PR-3

Rep #55 | [REDACTED] Woodbridge TAS 7162 | Paul Rapley

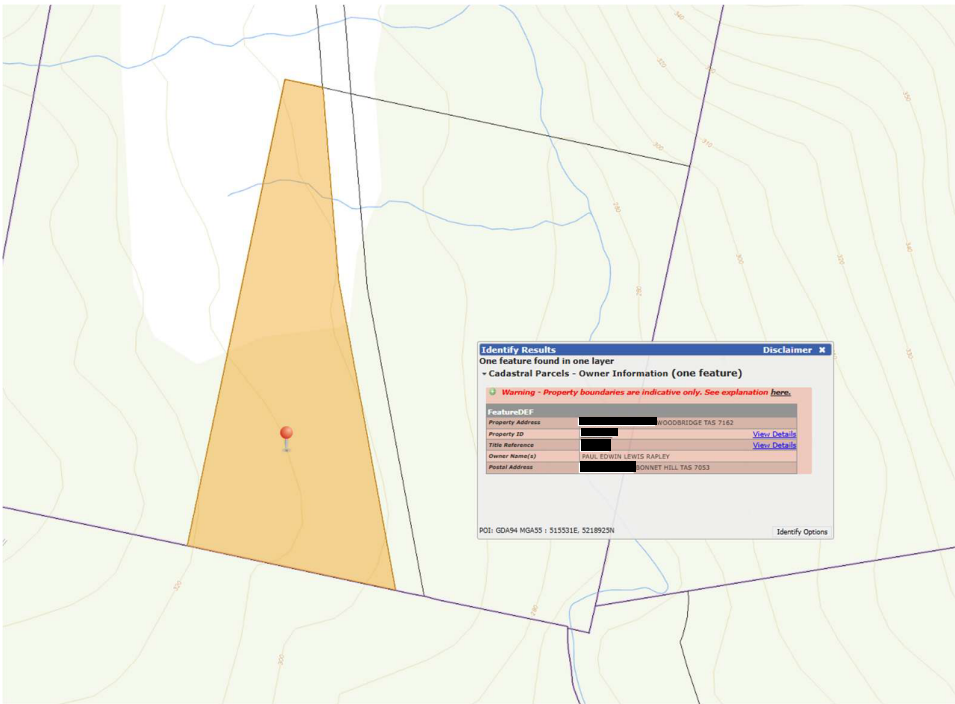


Figure 1 - List Map Screen Shot

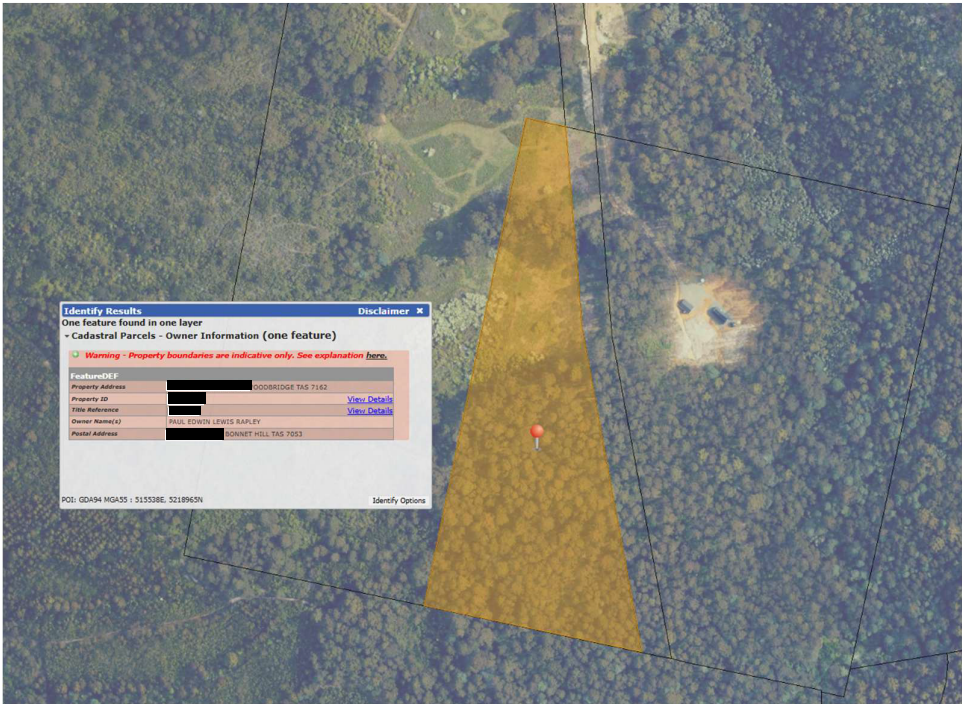
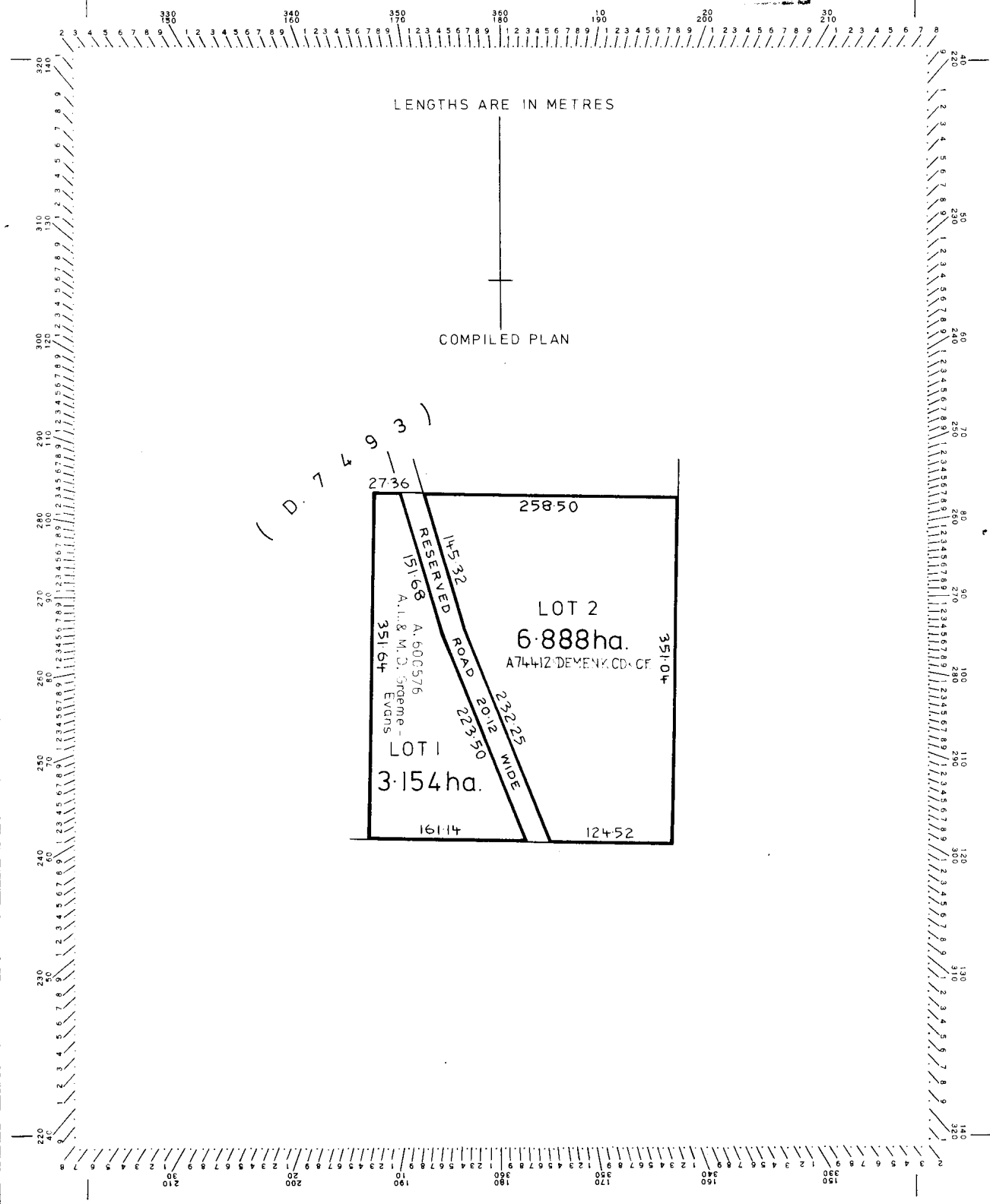


Figure 2 - List Map Aerial with boundary



Figure 3 - Proposed Zoning

Owner: Woodbridge Pastoral Nominees Pty. Ltd.	PLAN OF SURVEY by Surveyor _____ of land situated in the LAND DISTRICT OF BUCKINGHAM PARISH OF BAGOT SCALE 1:4 000	Registered Number: D [REDACTED]
Title Reference: [REDACTED] CT.		Approved: <i>4-11-15</i> Effective from: _____
Grantee: Lot 16504, 24a.3r.1lp.Gtd. to William Berry		<i>[Signature]</i> Recorder of titles



SEARCH OF TORRENS TITLE

VOLUME [REDACTED]	FOLIO 1
EDITION 1	DATE OF ISSUE 18-May-1994

SEARCH DATE : 09-Oct-2025

SEARCH TIME : 12.59 PM

DESCRIPTION OF LAND

Parish of BAGOT, Land District of BUCKINGHAM

Lot 1 on Diagram [7494](#)

Derivation : Part of Lot 16504 Gtd. to W. Berry

Prior CT [REDACTED]

SCHEDULE 1[A747483](#) TRANSFER to PAUL EDWIN LEWIS RAPLEYSCHEDULE 2

Reservations and conditions in the Crown Grant if any
BENEFITING EASEMENT: a right of carriageway over the land
marked Roadway on Diagram No. [7494](#)

NOTATIONS

First edition issued 18-May-1994.

No unregistered dealings or other notations