
From: Westcott, Nancy L <[REDACTED]>
Sent: Sunday, 26 April 2026 3:31 PM
To: TPC Enquiry
Cc: Henry Westcott
Subject: CM: Submission
Attachments: Submission - [REDACTED] Neika.pdf

Please find attached submission opposing Landscape Conserving Zoning for my property at [REDACTED] Neika.

Regards,

Nancy

Nancy Westcott (she/her)

Director of Nursing / Area Manager

Alcohol and Drug Service South

Level 1, Inga Building, St Johns Park, New Town | [REDACTED]
[REDACTED] [REDACTED]

Executive Assistant – Ange Holbrook
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24th April 2026

Nancy Westcott

Mount Nelson TAS 7007

Dear Nick Heath,

[REDACTED], Neika

Many thanks for your letter, dated 2 April 2026, regarding my property, [REDACTED], Neika, and the Tasmanian Planning Scheme Kingborough draft Local Provisions Schedule (LPS).

Your letter advises that my property was exhibited within the Landscape Conservation Zone (LCZ) and was recommended in the Ireneinc report to remain within the LCZ.

We purchased our property with the intention of constructing a residential dwelling and to establish a Rural Living type lifestyle. While that is achievable under the Landscape Conservation Zone, we are highly concerned about the ability to manage and protect the property from the very real risk of fire.

It is my position that the Ireneinc report did not demonstrate adequate site-specific assessment surrounding [REDACTED], or that of the local area. The author of the report did not consult me as landowner and does not appear to have considered relevant site-specific information that should be considered in their review and recommendations.

This submission contends that the application of the LCZ to [REDACTED] is inappropriate and not supported by site-specific evidence. The Rural Living Zone (RLZ), specifically Zone C, provides a more accurate reflection of the existing and intended use, lot size pattern, and planning framework applicable to the land. Rural Living gives priority to the protection of residential amenity, which is appropriate in this case.

The Folio Plan containing the lot is attached for reference.

Characteristic of the area

The surrounding locality exhibits a clear and established pattern of rural-residential development, characterised by small holdings (approximately 4ha) supporting dwellings, pasture, and low-intensity rural use. This pattern is inconsistent with the intent of the LCZ, which is typically applied to large, undeveloped parcels with demonstrable conservation values.

Council has not undertaken community consultation in our area to support their assessment of landscape value. Our local community (specifically [REDACTED] and [REDACTED]) is close-knit and has had much discussion on this matter. The collective view (based on my discussions and our local social media) is that our landscape, and the way we identify with it, is characterised as rural living.

It follows that [REDACTED], and the area more broadly, should be zoned Rural Living Zone.

In summary:

- The area is characterised as providing for a residential use, in a rural, bushland setting.

- Council has not undertaken local community consultation to support their assessment of landscape value in our area
- The collective view of my neighbours (based on my discussions and our local social media) is that the local character of our area is inconsistent with the intent of the LCZ, is characterised as rural living, and would more appropriately be zoned RLZ.

Lot size

The average existing lot size along [REDACTED], and upper [REDACTED] is around 4ha, with a few larger parcels, such as [REDACTED] amongst them. The majority of lots in this area have existing houses, and given the relatively small average lot size, the area should be characterised as providing for a residential use, in a rural, bushland setting. The acceptable solution for a subdivision in LCZ is for lots not less than 50ha (20ha if assessed under the performance criteria), whilst the acceptable solution minimum lot sizes within the Rural Living Zone, Zone A; Zone B; Zone C; and Zone D, are 1ha; 2ha; 5ha; and 10ha respectively.

My lot at [REDACTED] is 4.047Ha, and as such would more appropriately be zoned Rural Living under Zone C, therefore preventing further subdivision, but allowing for the rural living use that is existing in the area.

In summary:

- The existing lot size pattern is inconsistent with LCZ objectives.
- The existing lot size pattern is fundamentally incompatible with LCZ provisions and aligns directly with RLZ Zone C controls.

Assumptions made regarding values and risks

[REDACTED] is affected by multiple overlays including:

- Scenic Landscape Area
- Biodiversity Protection Area
- Landslide Hazard Area
- Bushfire Prone Area

Should any future development application propose tree removal, Kingborough Council's Biodiversity Offset Policy may also apply.

No site-specific assessment has been undertaken to verify the presence, extent or significance of natural values on the land. In the absence of such assessment, the application of the LCZ relies on broad-scale assumptions rather than demonstrated site-specific evidence. If zoned RLZ, it is implausible for 'risk' activities, identified by the Council in its broad consideration of RLZ, to be pursued on [REDACTED], including grazing, service stations, subdivisions, etc. The land is steep, largely vegetated, and has an existing lot size unlikely to allow further subdivision. The use would continue as it is now, residential.

In summary:

- There is no verified, site-specific evidence demonstrating significant natural values on the property.
- The combination of existing overlays and applicable policies already provides an appropriate mechanism for managing environmental and landscape values.

- The application of the Rural Living Zone would not introduce a realistic risk of inappropriate development on this site, given the existing planning controls and physical constraints of the land.

Conclusion

For the reasons outlined above, the application of the Landscape Conservation Zone to [REDACTED], Neika, is not supported by site-specific evidence or consultation, is inconsistent with the established character of the area, and introduces unnecessary uncertainty to a clearly defined and reasonable residential planning pathway for the property.

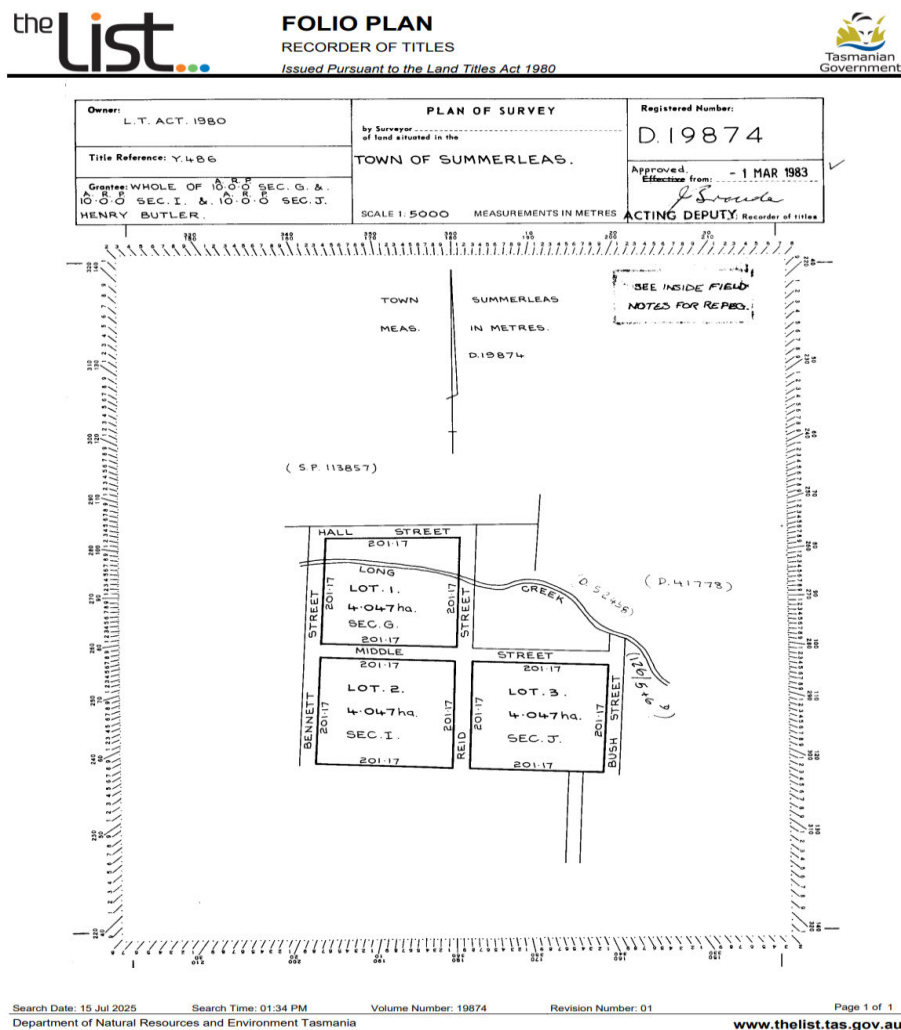
The Rural Living Zone (Zone C) gives priority to residential amenity, is the appropriate zoning for the [REDACTED] and the area more broadly, and should be applied.

Thanks again for the opportunity to make this formal submission.

Regards, Nancy

[REDACTED]

LANDOWNER – [REDACTED], NEIKA



Note that:

- [REDACTED] is only lot 2
- [REDACTED] and [REDACTED] have never been constructed as roads. These are Crown Land parcels. When created, these were envisioned to become residential roads.

Zone Application Comparison Assessment – Section 8A Guidelines

Landscape Conservation vs Rural Living suitability for 139 Morphetts Road

Matter	Landscape Conservation Zone (LCZ)	Rural Living Zone (RLZ)	139 Morphetts Road Alignment
Primary Purpose	Protection and conservation of landscape values	Residential use in a rural setting with amenity priority	Existing and intended use is clearly residential
Role of Residential Use	Secondary / discretionary	Primary land use outcome	Proposed dwelling + access upgrades confirm residential intent
Lot Size Pattern	Typically large, undeveloped, conservation suitable land	Larger residential lots (1–10ha typical)	~4ha aligns directly with RLZ Zone C pattern
Development Expectation	Limited, small-scale, conservation-led	Anticipated residential + low intensity rural	Existing rural-residential pattern already established
Vegetation Management	Strongly constrained to protect landscape values	Managed alongside residential use and amenity	Vegetation is present, but requires significant ONGOING management for safety
Bushfire Preparation	Potentially constrained by vegetation retention priorities	Enables defensible space consistent with residential use	Steep, vegetated land requires active fuel management
Ability to Clear for BAL compliance	More likely discretionary and contested	Expected as part of residential development	Essential for future dwelling approval
Overlay Interaction	Often duplicates Natural Assets / Scenic overlays	Works alongside overlays without overriding residential use	Already subject to multiple overlays controlling values
Strategic Application (Section 8A)	For land with identified landscape values requiring protection	For rural-residential areas where amenity is priority	Area exhibits established rural-residential character
Consistency with Area Character	Misaligned where development already established	Aligns with existing development pattern	Strong alignment with RLZ

Matter	Landscape Conservation Zone (LCZ)	Rural Living Zone (RLZ)	139 Morphetts Road Alignment
Emergency / Bushfire Reality	May restrict proactive land management	Supports landowner responsibility to manage risk	Owners expected to self-manage bushfire risk (TFS advice)