

Caleb and Nathanael Elcock

[REDACTED], DOVER 7117
Phone: [REDACTED]

Our Ref: KCLPS-251013-D52-1

► **Mr Nick Heath, TPC; Kingborough
Council's LPS Delegate (Chair)**

Tasmanian Planning Commission, GPO Box 1691,
HOBART TAS 7001
Phone: (03) 6165 6826

CC: Tasmanian Planning Commission's LPS Panel for Kingborough Council.

Sent: to Department of Justice's Sharepoint link provided by, tpc@planning.tas.gov.au, 13 Oct 2025

Dear Mr Heath, Delegate (Chair); Ms Graham,

Could you please circulate the following submission statement and associated appendices in accordance with Direction 52. These landowner statements have been submitted without redaction and should be uploaded to the TPC's website only when redaction of details have been made in accordance with Personal Information Protection Act 2004, Right to Information Act 2009, and the TPC's own guiding policies.

We have also compiled GIS mapping files for the Commission's benefit. These mapping files are in digital format and will be supplied by the TPC's instruction.

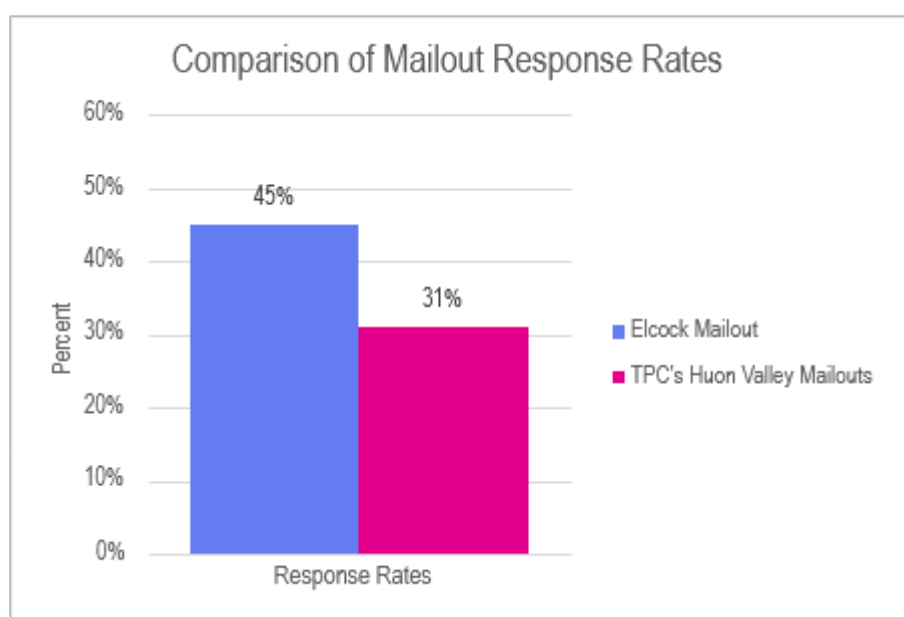
Overview of Direction 52 and collection of landowner statements

Direction 52		
52	Caleb and Nathanael Elcock (representations 197 and 198)	Further to Representation 197 and 198, provide appropriate signed consent from those property owners supporting your representation. Note: a reserve day date will be allocated to resume the hearing of your representation and the panel will issue a further direction at the appropriate time relating to the hearing procedure. Response due 17 September 2025 (https://www.planning.tas.gov.au/data/assets/pdf_file/0010/827416/Commission-directions-schedule-numbers-51-and-52-3-September-2025.pdf)

- a. It is noted that the Tasmanian Planning Commission has granted an extension until 15 October 2025 for a response to Direction 52 to be provided by us.¹

¹ Tasmanian Planning Commission, Correspondence, Reference DOC/25/105997, 18 September 2025, p 1.

- b. We extend our gratitude for this extension as it has enabled us to gain and process the appropriate consent documentation and supporting evidence.
- c. Over the duration of 42 calendar days, 782 initial letters were sent to addresses extending to the property owner/s an opportunity to indicate their preferred zoning intent so that we may present their position to the Tasmanian Planning Commission and the Planning Authority for consideration during the hearings' stage.
- d. Of the 782 letters sent out, 109 were sent back to us as undelivered/returned to sender.
- e. Of the remaining non-returned to sender letters we received, 301 responses were considered to contain the cardinal elements that qualify them as reflecting the respective property owners' views on zoning solutions.
- f. As an indication of significance, the returned response rate is shown in the below chart compared with the response rate from the TPC's directed mailouts from the Huon Valley's 35K reported figures:



- g. It should be noted that the Elcock Mailout response rate is a 45.16% increase on that of the TPC's response rate in the Huon Valley's mailouts generated from the Huon's hearings.
- h. Whilst on face value, a response rate of 45% or 31% may seem low, compared with a general expected response rate of ~0.5% to 9%, both the TPC and Elcock Mailout response rate is exceptional.²

² PostGrid, *Direct Mail Response Rate*, <https://www.postgrid.com.au/direct-mail-response-rate/#heading1>; Australian Bureau of Statistics, <https://www.abs.gov.au/ausstats/abs@.nsf/d36c95a5d2ce6cedca257098008362c8/ca17db8313b95a0bca257061003172f1!OpenDocument>; Data and Marketing Association, *What is The Response Rate From Direct Mail Campaigns?* <https://dma.org.uk/article/what-is-the-response-rate-from-direct-mail-campaigns>.

- i. The number of owner statements returned is an important collection of landowner intent and the raw set of collated responses are found within appendix A. The first section are statements received electronically, and are arranged by CT#. The last section are statements received by way of physical mail and may contain duplicates of what may have already been submitted electronically.
- j. Appendix B contains additional supporting reports of two landowners who have directed us to table these to assist the TPC in their deliberations, both to the properties they relate to, and for any wider considerations that could be gleaned.
- k. Appendix C contains two expanded witness statements of prominence that have captured a lot of reoccurring issues that landowners have raised with their emails and correspondence with me upon submitting their respective statements. Both of these two statements have been included by direct request of the authors.
- l. Dataset supplemental A, "QGIS_Witness_Maps.zip" is a set of GIS files for the mapping specialist within the TPC to use to create combined mapping of observations and statements collected from our statements submitted, our representations within 197, 198, those of representation 430 (For the TPC to consider and compile), hearings and other community representations. A technical manual has been provided for the QGIS Project submitted.
- m. The excel spread sheet within the supplemental contains the unique property entries that letters were sent to and each landowner statement within appendix A contains, in red, a REF# that matches our representations titles assessed and submitted under S35E.
- n. We have already joined a number representation data points with our statement entries. If the TPC's GIS specialist requires clarification on code entries and definitions please feel free to contact us.
- o. It should be noted that several people have provided me with additional documentation, lived experience statements, not unlike [REDACTED] impact statements, of their interactions with the Kingborough's Planning Authority.
- p. After careful consideration and legal counsel, we will not be providing those to the TPC and Planning Authority for assessment because:
 - i. The content of a number of statements is potentially highly distressing for the individual private community member to be made public.
 - ii. Concerns have been raised by landowners over potential retributory actions taken against specific community members by Council.
 - iii. Whilst, the experiences of individuals should not be minimised, it is believed that such testimony would be better served via other legal avenues.
 - iv. We do ask the TPC to be sensitive in light of this, and request that they provide a statement that would address the efficacy of such testimony in aiding with TPC's zoning outcomes deliberation. It may be beneficial for the TPC to allow for individuals to bring their testimonies to the TPC in a closed session without the Planning Authority's presence.
- q. We await further instruction from the TPC in reference to the reserve date by which we can resume the hearing of our representation.

- r. An additional report of findings and positional statements will be tabled, then.
- s. It is important to be aware that over 220 landowners have indicated a desire to be kept up to date with the progress of the hearing day with potential attendance either physically or by way of Teams.
- t. If it is at all possible, we would like a future hearing day to fall on either a Tuesday or Thursday.

Data Limitations and Scope

- u. Our data collection had a periscope to that of only the titles that representation 197, 198 covered.
- v. 782 letters were sent to addresses, with no letters sent to property titles where we have indicated that we have removed our support of zoning outcome over.
- w. We have included all statements that provided a zoning intent by the landowner, including where a landowner has selected a zone that is not available. Like that of a disestablished or soon to be disestablished zone.
- x. We have done our best to provide uniformity of sizing of statements returned.
- y. It should be noted that the Elcock Mailout did not have precise mailing address for landholders on all titles despite requesting this information.³ This means that we have had a relatively high number of Return to Senders, ~16%, n = 109.
- z. It is recommended that the TPC follow up with the landowners that own the Return to Sender Properties should they require greater coverage for Natural Justice principles to be carried.

Final Considerations and Closing Statements

Both Nathanael Elcock and I, Caleb Elcock would like to extend our thanks to the TPC for providing us an opportunity to engage with Direction 52 to afford our services to the people of the Kingborough Municipal area. We hope that with the data retrieved, the TPC will be able to further an LPS outcome that not only meets the appropriate guiding policies, strategies, and legal minimums but is also robustly grounded within the community's expectations.

We last but not least must provide our deepest thanks to the countless hours and support that the community has given us by way of their responses given, finding neighbours and landowners for our letters, messages of encouragement, and your additional lived experiences of your own engagement with the Planning Authority on matters.

To those who have been pushed to the limit by what appears to be [REDACTED], we are sorry that you have had to experience this, and we wish that we could do more for you within this space. We take comfort in the knowing that despite the ordeals, you have a community that is very supportive and we encourage a continued commitment to each other to affect a more community centric planning approach and culture by Council.

³ Elcock Correspondence, to TPC, Date: 2 September 2025 4:09 PM, p 1

We look forward to seeing many of you at the future hearing date, again and in some cases for the first time.

Until anon,



Caleb Elcock

MEd (QUT), PostGdipTheo (St Marks, CSU), BBus (Deans,
CHC), CELTA (UQ)
Date 15 October 2025



Nathanael Elcock

BRTP (Hons, UQ)
Date 15 October 2025