
From: Caleb Elcock <[REDACTED]>
Sent: Wednesday, 29 April 2026 1:42 PM
To: Kingborough LPS
Cc: [REDACTED]
Subject: CM: Fwd: Your letter regarding zoning of our land
Attachments: Bresler-[REDACTED]-RLZ.pdf

Dear Ms Linda Graham and Kingborough-LPS assessment panel,

Please see the below response from Liz Bresler in response to the TPC's letter dated 02 April 2026.

I am happy to provide in-person advocacy for their proposed zoning outcome at hearings on behalf of the Breslers should you require additional justification for their position as stated in the below attached response, and documents provided for reference.

Please provide a receipt of correspondence so that I know this has been received.

Regards,

Caleb Elcock

----- Forwarded message -----

From: forgeriestas [REDACTED] [au](#)>
Date: Wed, Apr 29, 2026 at 1:30 PM
Subject: Re: Your letter regarding zoning of our land
To: Caleb Elcock <[REDACTED]>

Thank you so much. Yes, we would still like the whole property to be rural living zone and have you as an advocate on our behalf. Thanks again Liz

Sent from my Galaxy

----- Original message -----

From: Caleb Elcock [REDACTED]
Date: 29/4/26 1:19 pm (GMT+10:00)
To: Andreas and Elisabeth Bresler [REDACTED]

Subject: Re: Your letter regarding zoning of our land

Hi Liz,

Thank you for your email.

What zoning outcome would you like for your property?

From the Landowner Statement that we received and submitted on your behalf you indicated that you would like to have Rural Living Zone on the whole of your property. Is this still the case?

If so, please review the attached documents that we have submitted previously in regards to this property and zoning outcome of Rural Living Zone on the whole of your title, and then indicate the following yes or no to the following statements:

1. Having reviewed the letter from the TPC dated 02 April 2026 I reject the split zoning of Rural Living Zone and Landscape Conservation Zone Proposed by the Planning Authority (Kingborough Council). Yes/No
2. Having reviewed the attached documents (Bresler-[REDACTED]-RLZ.pdf), I remain in agreement with the Elcock's assessment for Rural Living Zone to be applied across the whole of the property. Yes/No
3. I would like either of the Elcock's to advocate for my zoning preference for Rural Living Zone across the whole of my property at hearings should the Tasmanian Planning Commission require further information to support my position. Yes/No.

I would be happy to advocate on your behalf for what zoning outcome you would like. So please let me know either way. I can also send a response to the TPC on your behalf given that you do not have computer facilities.

Kind Regards,

Caleb Elcock

On Wed, 29 Apr 2026, 9:52 am , [REDACTED] wrote:

Thanks for your email 2 weeks ago. I have trouble to fill out the form and my son who is in the face group still has to work out what to do with his property as they seems to be still so much confusion within the face group as well. I will send you a copy of the letter I received for our property where they made only half the property rural living.

What can I do? I am not got with the computer and don't know what the best solution is for us.

Regards

Liz Bresler

WHAT YOU NEED TO DO BY 26 SEPTEMBER 2025

If you do not send back a signed statement of your position to us, then it is likely the new zone proposed for your land by the Kingborough Planning Authority 11.0 Rural Living C and

22.0 Landscape Conservation will be adopted with little consideration of alternatives. You may consult the TPC's website: <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/lps-kin-tps> for a copy of our representation, Direction 52 and relevant information. The TPC can be contacted on (03) 6165 6828 if you would like clarification on the direction and any other matters relating to this correspondence.

Until anon,

Caleb Elcock
Date 09 Sept 2025

Nathanael Elcock
Date 09 Sept 2025

Landowner Statement

I/We ANDREAS BRESLER ELISABETH BRESLER (your name/s), owners/having legal dominion over this subject parcel of land [redacted] Kingston TAS 7050, CT#: [redacted], PID#: [redacted] I indicate the following preferred zoning outcome/s (Circle or provide preferred zone, cross out undesirable zone):

Preferred Zone Options (Select/Provide your preferred option)		
Kingborough Planning Authority's Proposal	<u>Elcock's Alternative</u> ✓	An Alternative Zoning Proposal (specify below)
11.0 Rural Living C and 22.0 Landscape Conservation	11.0 Rural Living ✓	

- A list of available zones can be found withing the State Planning Provisions here: <https://tpso.planning.tas.gov.au/tpso/external/tasmanian-planning-scheme>

We also affirm the following:

We would like / would not like (circle) to be notified of the future date of the hearing date when we can also attend to show support and or provide clarity over our intent for our land. (Please provide an email address that can be used to contact you on): [redacted]

Our awareness of the rezoning of our property was first made known to us by, 1. Council's exhibition process prior to COB Monday, 9 December 2024 / 2. From a member of the public / 3. From this letter (Circle the most accurate option).

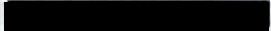
1.

2.

Name/s: A. BRESLER
E. BRESLER

Signature/s: [redacted]

**Caleb and Nathanael Elcock**

**Mr David Stewart, CEO Kingborough Council**Kingborough Council, Locked Bag 1, KINGSTON
TAS 7050
Phone: (03) 6211 8200

Our Ref: LPS-KC-24/25/19897-7602

Dear Mr David Stewart, CEO

Please find attached our representation to the Kingborough Council's Draft LPS Exhibited in accordance with section 35C(4)(b)(ii) of the Land Use Planning and Approvals Act 1993 [LUPAA].

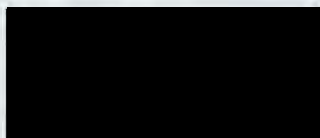
We are exercising our rights to submit the following representation under section 35E of the Act. Specifically, but not limited to matters concerning section 35E(3)(a,b,c), noting that the exhibited Ministerial Directive that cites Schedule 6, Clause 8D(2) of the Act to include the exhibited Scenic Protection Overlay under a transitional provision in Clause C8.2.1 of the SPPs.

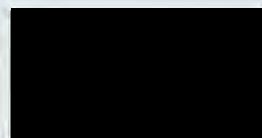
We insist therefore, that this representation be considered as a discrete representation to be considered in accordance with the Act, specifically to section 35F and given treatment afforded by section 35F(2)(a,b,ba,c,d,e).

Further, we insist that the relevant public authority notifies the landowner that we have made this representation on their property and be given a copy of this representation and be invited to make comment, to the matters prosecuted. We naturally, defer to the wishes and intent of the landowner/s over that of our own and see this as a matter of the carriage of Natural Justice.

As a matter of privacy of private information, we request under the provisions under the Personal Information Protection Act 2004 and Right to Information Act 2009 that our contact, post nominal, signatures and address be removed to only be used internally and not published. Our names may be publicly facing.

Until anon,

**Caleb Elcock**


Date 06 Dec 2024**Nathanael Elcock**

Date 06 Dec 2024

CT	PID
██████	██████

Representation on Property CT: ██████████



Figure 1: Property Boundaries indicated in Red



Figure 2: Subject Title with satellite imagery from Google Maps that shows the scale of development.

Title CT: ██████████ is exhibited to be zoned 11.0 Rural Living C, 22.0 Landscape Conservation as noted in the mapping provided by Council during the exhibition period, away from 14.0 Environmental Living in the KCIPS2015.

We have consulted the following Exhibited Documents:

- * Kingborough Local Provisions Schedule: Supporting Document; Version 2, Oct. 2024, Kingborough Council.
- * Kingborough Local Provisions Schedule: Attachment C; Oct. 2024, Kingborough Council.
- * Kingborough Draft LPS: Outstanding Issues Notice; 18 Sept. 2024, Probert, R. Tasmanian Planning Commission.
- * Kingborough Land Use Strategy; May 2019 (Version 2, Oct 2024), Kingborough Council.
- * Ministerial Declaration of Transitional Provisions Directive, 13 Apr. 2023, Hon. Ferguson, M. DOI 22/128584.

Folio of the Register CT: ██████████ has not been cited explicitly within the above mentioned documents. It has been determined that insufficient, site specific, justification could be found that validates Council's view that this land parcel should be zoned 11.0 Rural Living C, 22.0 Landscape Conservation.

Subject title is ~8.38ha. The subject title is considered to be part of an existing settlement within a rural living context regardless of current KCIP2015 zoning. The property has, either on title or within immediate surrounds what appears to be residential amenity. This is in keeping with STRLUS 1.3 criteria and Section 8A Guidelines that speak to Rural Living Zone. The intent, then is evident in a Rural Living Community that pre-exists LPS considerations and perhaps even pre KCIPS2015. A formalisation of RLZ should pre-suppose this use over less appropriate alternative advancements of differing zoning priorities proposed by the Planning Authority.

Owing to the size of the subject title, it is recommended corresponding Rural Living Zone A-D is chosen that minimises subdivision as per the STRLUS SRD 1.3 objectives when Strategic Settlement Strategies from the Planning Authority is absent.

The 11.0 Rural Living Zone should be adopted in a way that best maintains the contiguous zoning pattern in this area. Split zoning whilst entertained in some instances, should be avoided unless a specific need warrants its use. Split zoning causes undue complexity and should be discouraged.

CT	PID



Figure 3: Title with Scenic Overlay in purple striped shade

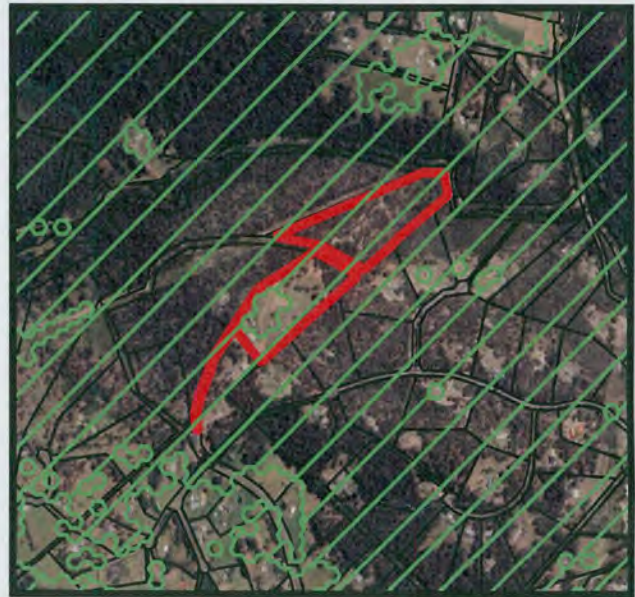


Figure 4: Title with Natural Assets Overlay in green striped shade (Priority Vegetation).

Title CT: [REDACTED] is exhibited to have the C4.0 Electricity Transmission Infrastructure Protection Area, C7.0 Waterway and Coastal Protection Area, C7.0 Priority Vegetation, C8.0 Scenic Protection Area, C13.0 Bushfire-Prone Areas, C15.0 Landslip Hazard as noted in the mapping provided by Council during the exhibition period, away from E1.0 Bushfire-Prone Areas Code, E3.0 Landslide Code, E8.0 Electricity Transmission Infrastructure Protection Code, E10.0 Biodiversity Code, E11.0 Waterway and Coastal Protection Code, E14.0 Scenic Landscapes Code in the KCIPS2015.

We have consulted the following Exhibited Documents:

- * Kingborough Local Provisions Schedule: Supporting Document; Version 2, Oct. 2024, Kingborough Council.
- * Kingborough Local Provisions Schedule: Attachment C; Oct. 2024, Kingborough Council.
- * Kingborough Draft LPS: Outstanding Issues Notice; 18 Sept. 2024, Probert, R. Tasmanian Planning Commission.
- * Kingborough Land Use Strategy; May 2019 (Version 2, Oct 2024), Kingborough Council.
- * Ministerial Declaration of Transitional Provisions Directive, 13 Apr. 2023, Hon. Ferguson, M. DOI 22/128584.

Folio of the Register CT: [REDACTED] has not been mentioned explicitly within the above cited documents. It has been determined that partial justification could be found that validates Council's view that this land parcel should have the previously mentioned overlays. We will only speak to the Scenic Protection and Priority Vegetation Overlays.

Subject title does have a Scenic Protection Overlay. As noted in the Council's LPS Supporting document on p. 159, the transitional provision in clause C8.2.1 of the SPPs, and with regard to the above Ministerial Directive on pp. 8, 13, 18 "... to Schedule 6, Clause 8D(2) of the Act", and despite reasons listed in our section on Scenic Protection Overlay, the KCIPS2015 Code will transition as is. See recommendations in our discussion pertaining to this overlay.

The property does have a Natural Assets Overlay (Priority Vegetation). It is noted that Table 45 on p. 153 of Council's Supporting LPS Document cites LP1.7.5(d) that allows for the modification of the priority vegetation area. Given that this property should be zoned 11.0 Rural Living Zone in whole, the Priority Vegetation Area should be removed from this title where there is no ground truthed evidence or pulled back to Native Vegetation lines.

CT	PID
40596/6	7602661

Overview assessment for CT Title: [REDACTED]

Is this representation consistent with:

The STRLUS: SRD 1.3

State Policies/SPPs: 11.1, 11.1.1, 11.1.2, 11.1.3

Guidelines Section 8A: RLZ 1, RLZ 2, RLZ 3, and LCZ 4 as it relates to SRD 1.3

TPC Drafting Instructions / Practice Notes: Unknown

Local Strategy / Policy: The Planning Authority has not provided a current Land Use Strategy.

A "like for like" Conversion: No it is not a 'like for like'

Natural Justice Issues: As per the preceding Section in the explanatory report on Natural Justice Issues, we consider this to be a discrete representation made on CT Title: [REDACTED] and therefore the landowner/s will need to be contacted by the relevant Planning Authority or Public Authority, inviting the landowner to provide additional information to the hearings process. We naturally, support the individual land owner's view of zoning outcomes over their own property.

Planning Authority's Response to Representation for CT Title: [REDACTED]

Is this representation consistent with:

The STRLUS:

State Policies:

Guidelines Section 8A:

TPC Drafting Instructions / Practice Notes:

Local Strategy / Policy:

A "like for like" Conversion:

Natural Justice Issues:

Additional Comments: