
From: Caleb Elcock [REDACTED] >
Sent: Saturday, 2 May 2026 9:00 PM
To: Kingborough LPS
Cc: Norman Bresler
Subject: Fwd: Update of LPS ReZoning Submission with essential information for action.
Attachments: [REDACTED]-Norman-Bresler.pdf

Dear Ms Linda Graham and Kingborough-LPS assessment panel,

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

I am happy to provide in-person advocacy for Mr Bresler's proposed zoning outcome at hearings on his behalf should you require additional justification for their position as stated in the below attached response.

I have also attached previously submitted documents specific to the subject title of focus. Enclosed, [REDACTED]-Norman-Bresler.pdf.

Regards,

Caleb Elcock

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

From: Norman Bresler [REDACTED]
Date: Fri, May 1, 2026 at 7:28 AM
Subject: RE: Update of LPS ReZoning Submission with essential information for action.
To: Caleb Elcock [REDACTED]

Hi Caleb

Thankyou greatly for your reply.

To your 3 questions

1. Having reviewed the letter from the TPC dated 02 April 2026 I reject the zoning of Landscape Conservation Zone Proposed by the Planning Authority (Kingborough Council).

My answer is YES.

2. Having reviewed the attached documents ([REDACTED]-Norman-Bresler.pdf), I remain in agreement with the Elcock's assessment for Rural Living Zone to be applied across the whole of the property.

My answer is YES

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.

My answer is YES

If you can please send in my response and cc me in that would be greatly appreciated.

Thank you

Norman Bresler

[REDACTED]

ABN: 97 672 846 994.



From: Caleb Elcock [REDACTED] >
Sent: Thursday, 30 April 2026 8:39 PM
To: Norman Bresler [REDACTED]
Subject: Re: Update of LPS ReZoning Submission with essential information for action.

Hi Norman,

Thank you for your email.

I did extend my help to your mother, Liz. Would you like me to act on your behalf, aswell?

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. This looks to be the case, still from your email.

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 zoning of Landscape Conservation Zone Proposed by the Planning Authority (Kingborough Council). Yes/No

2. Having reviewed the attached documents ([REDACTED]-Norman-Bresler.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 if that is also of help and cc you in.

Kind Regards,

Caleb Elcock

REF: 17681-7131

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 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 Norman Bresler (your name/s), owners/having legal dominion over this subject parcel of land [redacted] Margate TAS 7054, CT#: [redacted] PID#: [redacted] 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	Elcock's Alternative	An Alternative Zoning Proposal (specify below)
22.0 Landscape Conservation	11.0 Rural Living	

- A list of available zones can be found within 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).

Name/s: Norman Bresler

Signature/s: [redacted]

RECEIVED
05 DEC 2024

Caleb and Nathanael Elcock

[REDACTED]

▶ **Mr David Stewart, CEO Kingborough Council**

Kingborough Council, Locked Bag 1, KINGSTON
TAS 7050
Phone: (03) 6211 8200

Our Ref: LPS-KC-24/25/17681-7131

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,

[REDACTED]

Caleb Elcock

[REDACTED]

Date 06 Dec 2024

[REDACTED]

Nathanael Elcock

[REDACTED]

Date 06 Dec 2024

CT	PID

Representation on Property CT:

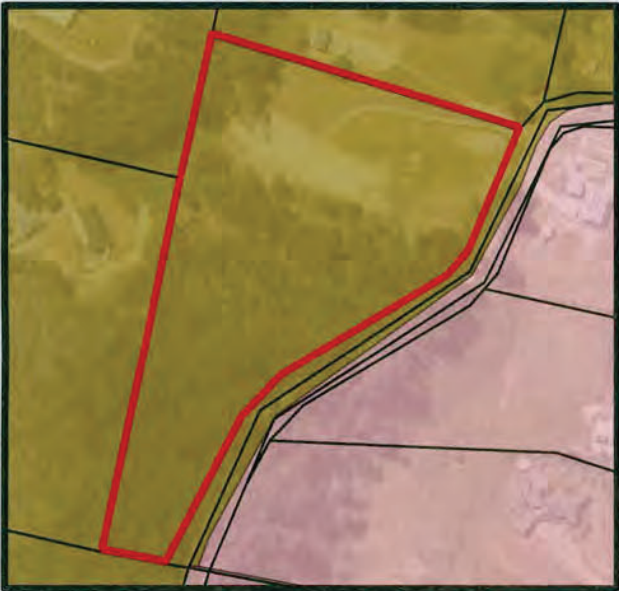


Figure 1: Property Boundaries indicated in Red



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

Title CT: is exhibited to be zoned 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 22.0 Landscape Conservation.

Subject title is ~2.56ha. 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

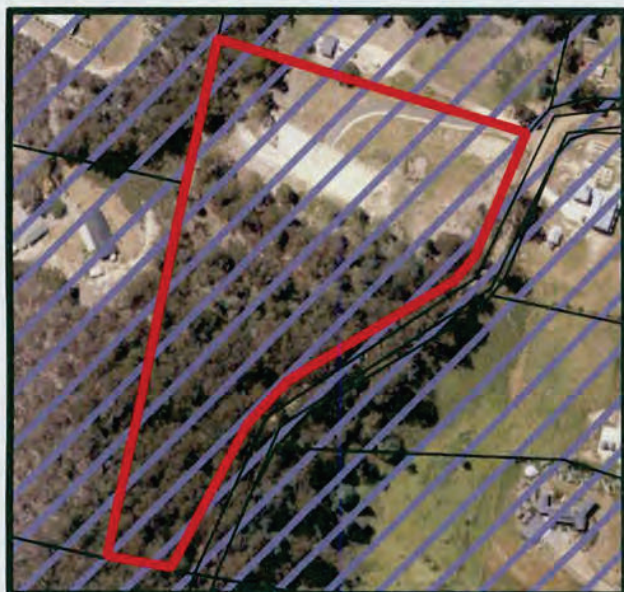


Figure 3: Title with Scenic Overlay in purple striped shade



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

Title CT: 171165/10 is exhibited to have the 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, E9.0 Attenuation Code, E10.0 Biodiversity 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: 171165/10 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
171165/10	3449911

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: