

**From:** "Michelle Schleiger" <michelle@woolcottsurveys.com.au>  
**Sent:** Fri, 17 Sep 2021 15:53:42 +1000  
**To:** "Contact Us" <contactus@launceston.tas.gov.au>  
**Cc:** "James Stewart" <james@woolcottsurveys.com.au>; "Brett Woolcott" <brett@woolcottsurveys.com.au>; "Colin Smith" <colin.smith@woolcottsurveys.com.au>  
**Subject:** Attention to the Chief Executive Officer; Regarding 135 Rostella Road, Dilston and the draft LPS  
**Attachments:** C Booth Dilston\_Ag report September 2021.pdf, L210830 - Cover letter - representation to the draft LPS Launceston - Rostella.pdf

Dear Mr Stretton

Please find attached, written representation to the draft Local Planning Provisions, as advertised, regarding land at 135 Rostella Road, Dilston and the proposed zoning.

Any correspondence regarding this matter can be directed to me at this address. Should you require further information regarding this please let me know.

With Regards

Michelle Schleiger

Town Planner

M 0477 332 008

P 03 6332 3760

E [michelle@woolcottsurveys.com.au](mailto:michelle@woolcottsurveys.com.au)

W [www.woolcottsurveys.com.au](http://www.woolcottsurveys.com.au)


A 10 Goodman Court, Invermay TAS (PO BOX 593, Mowbray Heights TAS 7248)



Offices located in:

LAUNCESTON	ST HELENS	HOBART	DEVONPORT
10 Goodman Crt, Invermay PO Box 593, Mowbray TAS 7248 P 03 6332 3760	48 Cecilia St, St Helens PO Box 430, St Helens TAS 7216 P 03 6376 1972	Rear Studio, 132 Davey St, Hobart TAS 7000 P 03 6227 7968	2 Piping Lane, East Devonport P 03 6332 3760

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CHARLES BOOTH

# Agricultural assessment & proposed rural zoning report

**135 Rostella Road, Dilston**

**SEPTEMBER 2021**





43 Formby Road, Devonport, Tasmania 7310

Phone: 1300 746 466

Email: [admin@pinionadvisory.com](mailto:admin@pinionadvisory.com)

[www.pinionadvisory.com](http://www.pinionadvisory.com)

Report author: Jason Barnes BAgSc(Hons)

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## 1 Executive summary

This agricultural assessment and compliance report has been prepared on behalf of the proponent, Charles Booth.

It is proposed that the property at 135 Rostella Road, Dilston be zoned Rural under the Tasmanian Planning Scheme.

The property covers approximately 115 hectares of land all of which has been cleared, drained and developed for agricultural land use activity.

The agricultural land use activity on the property is a pasture based cattle breeding and finishing enterprise.

The land is class 4 and 6 with significant limitations on the soil that results in limited pasture production over the winter and summer. These limitations result in areas of the property being unsuitable for cropping (class 6), due to prolonged periods of waterlogging in the winter and dry conditions in the summer that limits crops finishing to full yield potentials without irrigation.

The property is not located in an Irrigation Scheme District and does not have any suitable dam site on the property.

The property is bordered on the east by the Rural Living area of Dilston. The proximity of these residential dwellings constrains the agricultural operations on the property to abide by agricultural operational buffers (i.e. for spraying). Noise from normal agricultural operations is a potential current and create future conflict with the neighbouring properties and interference with the agricultural operations and land use. The land to the north is listed as Agricultural but it in reality consists of a marshland area that is flooded frequently by the tide and is waterlogged always. This area is not suitable to be grazed and is a barrier to link this property with any other agricultural land beyond at Windermere. The River Tamar bordered the property on all other sides, combining to effectively isolate the property. Zoning this property Rural will provide for a more diverse range of approved land uses on the property than it would if it is zoned Agricultural and acknowledge the isolation of the property, limitations of the land and the activities and features that surround it.

The property at 135 Rostella Road is constrained agriculturally and therefore is not able to support a profitable grazing and livestock based agricultural business. It is not able to support a cropping based enterprise and much of the area is not suitable for perennial horticulture. Therefore, the property is considered to be a lifestyle property rather than productive agricultural land. The property has been developed using funds invested from outside the agricultural business with little to no potential to repay the money invested.

Therefore, it is the conclusion of this report that the property (135 Rostella Road) be rezoned Rural to allow a broader range of land uses and recognise the constraints placed on the operations of the farming property by the proximity of residential dwellings, the soil and water resources, its current and future capacity to support an economically viable farming business and that it does not have any potential to be developed into more productive agricultural land with irrigation.

## 2 Purpose

This report has been undertaken on behalf of Charles Booth (the proponent) in order to support the Rural zoning of the of the property at 135 Rostella Road, Dilston under the Tasmanian Planning Scheme.

### 2.1 Land Capability

The currently recognised reference for identifying land capability is based on the class definitions and methodology described in the Land Classification Handbook, Second Edition, C.J Grose, 1999, Department of Primary Industries, Water and Environment, Tasmania.

Most agricultural land in Tasmania has been classified by the Department of Primary Industries and Water at a scale of 1:100,000, according to its ability to withstand degradation. A scale of 1 to 7 has been developed with Class 1 being the most productive for agriculture and resilient to degradation and Class 7 the least suitable to agriculture. Class 1, 2 and 3 is collectively termed “prime agricultural land”. For planning purposes, a scale of 1:100,000 is often unsuitable and a re-assessment is required at a scale of 1:25,000 or 1:10,000. Factors influencing capability include elevation, slope, climate, soil type, rooting depth, salinity, rockiness and susceptibility to wind, water erosion and flooding.

In providing the opinion enclosed here, it is to be noted that Jason Barnes possesses a Bachelors of Agricultural Science with Honours and has over 18 years’ experience in the agricultural industry in Tasmania. Jason is skilled to undertake agricultural and development assessments as well as land capability studies. He has previously been engaged by property owners, independent planners, and surveyors to undertake assessments within the, Waratah Wynyard, Circular Head, Break O’Day, Glamorgan Spring Bay, Meander Valley, Northern Midlands and Launceston municipalities. Most of these studies have involved the assessment of land for development purposes for potential conflict with the Tasmanian Planning Scheme.

### 2.2 Tasmanian Planning Scheme – LPS

The Guideline No. 1 Local Provisional Schedule (LPS): zone and code application issued by the Tasmanian Planning Commission under sections 8A of the Land Use Planning and Approvals Act 1993, sets out the guidelines for zoning land in the transition to the Tasmanian Planning Scheme.

## 3 Property details

### 3.1 Location

The property is owned by Charles Booth and is located at 135 Rostella Road, Dilston on the title reference 38796/1 (see table 1 and figure 1). The property is situated on the banks of the River Tamar and includes Pedders Point.

Table 1 Property location identification details

Address	Property ID	Title Reference	Hectares (Approx.)
135 Rostella Road, Dilston	7562436	38796/1	115.8

The property (38796/1) consists of predominantly undulating ground on the banks of the River Tamar (see figure 2). The property is bordered by the river on 3 sides (north, south, and west) and to the east is the rural residential area of Dilston.

The vegetation present on the property is dominated by improved pastures. There is an area of saltmarsh and wetlands (Threatened Native Vegetation Community, (see Figure 7) on the north and west. An introduced rice grass (*Spartina anglica*) is entrenched on the marsh or mudflat area on the western side of the property, bordering the River Tamar.

The property is held as private freehold land and immediately surrounded to the east. Associated with the River Tamar boundary to the property is a public reserve on the foreshore and conservation land tenure of the river itself. (See Figure 3)

The property is zoned Rural Resource under the Launceston Council Interim Planning Scheme (see Figure 4). It is proposed to be zoned as Agricultural (Potentially Unconstrained) by the Launceston City Council in the transition to the Tasmanian Planning Scheme (see Figure 5).

Adjacent land on the eastern side of the property is zoned Rural Living as the rural residential locality of Dilston.

The property receives on average 565mm rainfall annually. The rainfall is winter dominant.

There are areas around and through the property that are at risk of flooding, both at high tide and during periods of high rainfall. The adjacent land to the north of the property floods frequently at high tide (see Figure 6). There are risks of salinity (see Figure 8), waterlogging (see Figure 9) and wind erosion (see Figure 10) are present on the property.

The property is outside any Tasmanian Irrigation District.

Infrastructure present on the property includes fenced paddocks, improved species pasture paddocks, stockyards, machinery and workshop sheds, an airstrip, gravel access roads, and the primary

residence. There are 3 vacant houses on the property that are surplus to requirements on the farm due to the owner living on the property to manage and operate the farm.

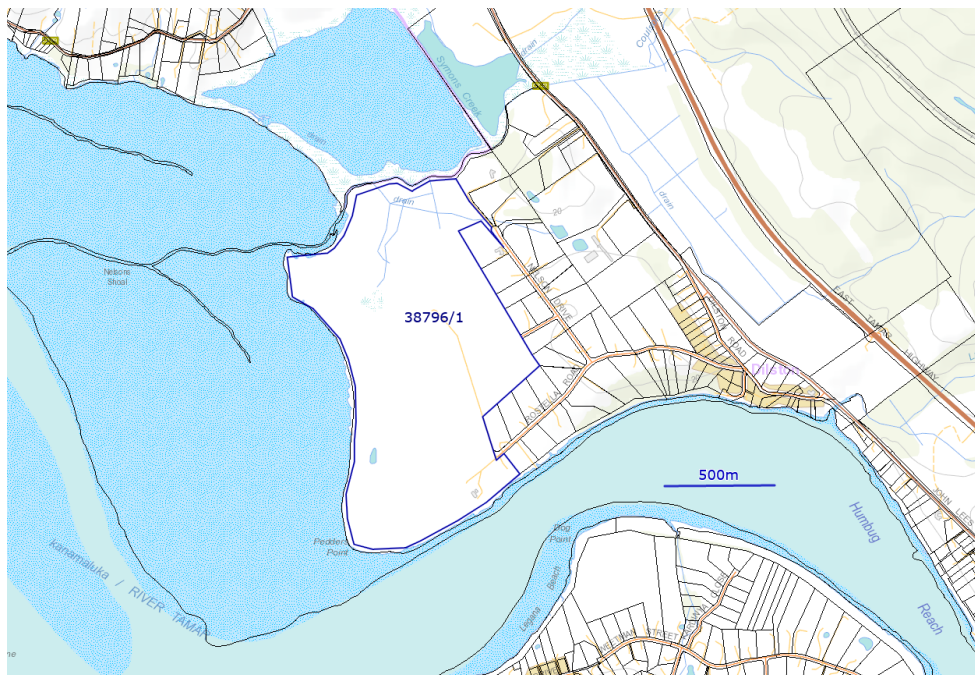


Figure 1 Approximate property location and title references outlined in blue (38796/1) (Source: The LISTMap)

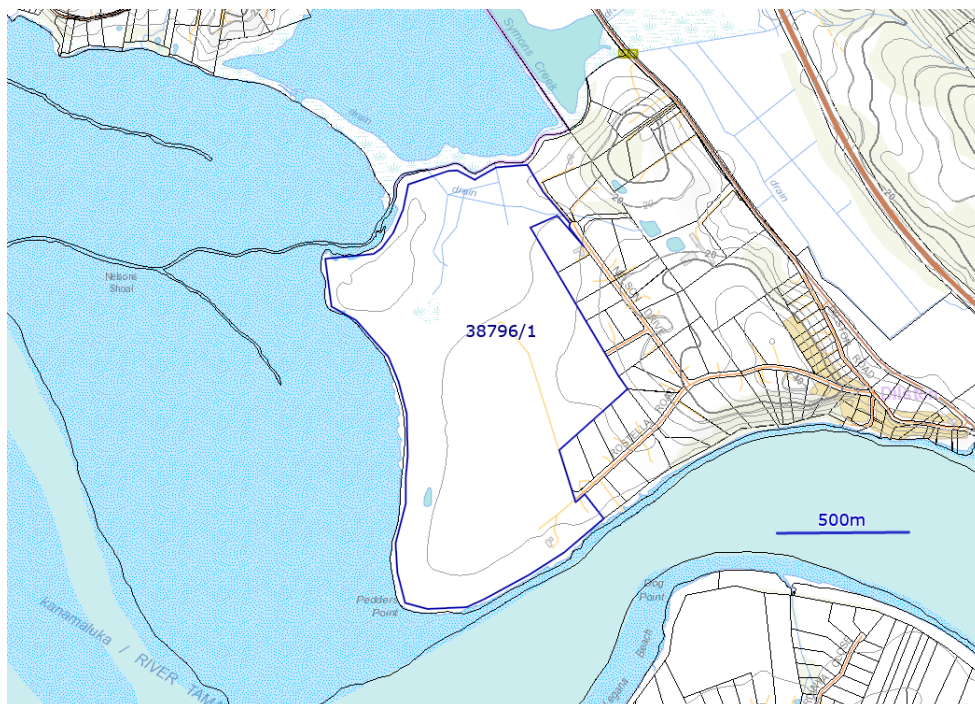


Figure 2 Topographic map of the property (Source The LISTMap)

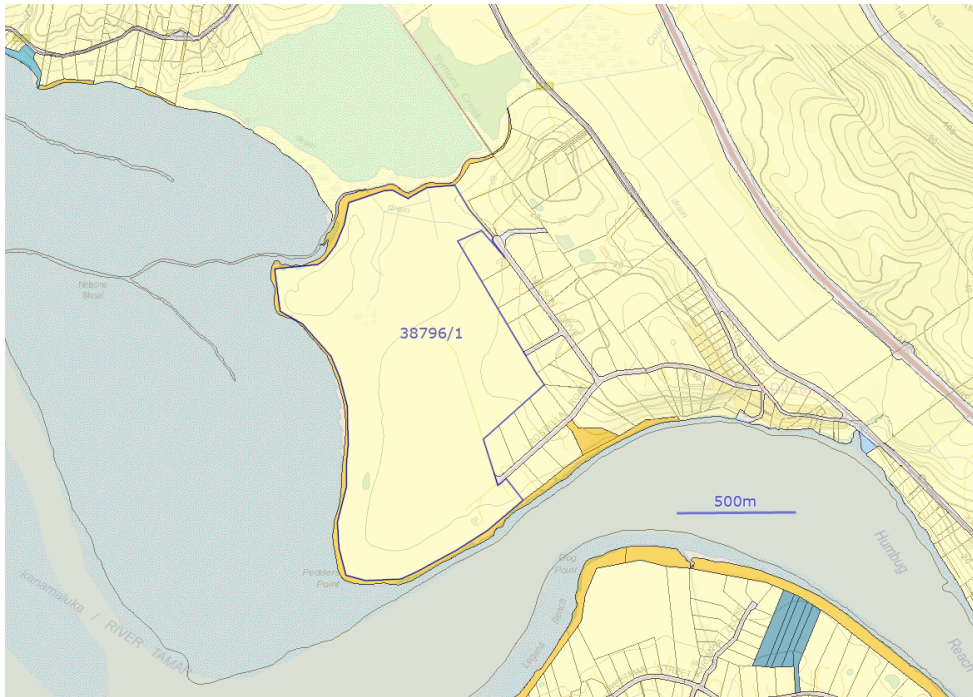


Figure 3 Land tenure on and to the east of the property is private freehold land (pale yellow) with public reserve (yellow) and Conservation area (blue) associated with the River Tamar (Source: The LISTMap)

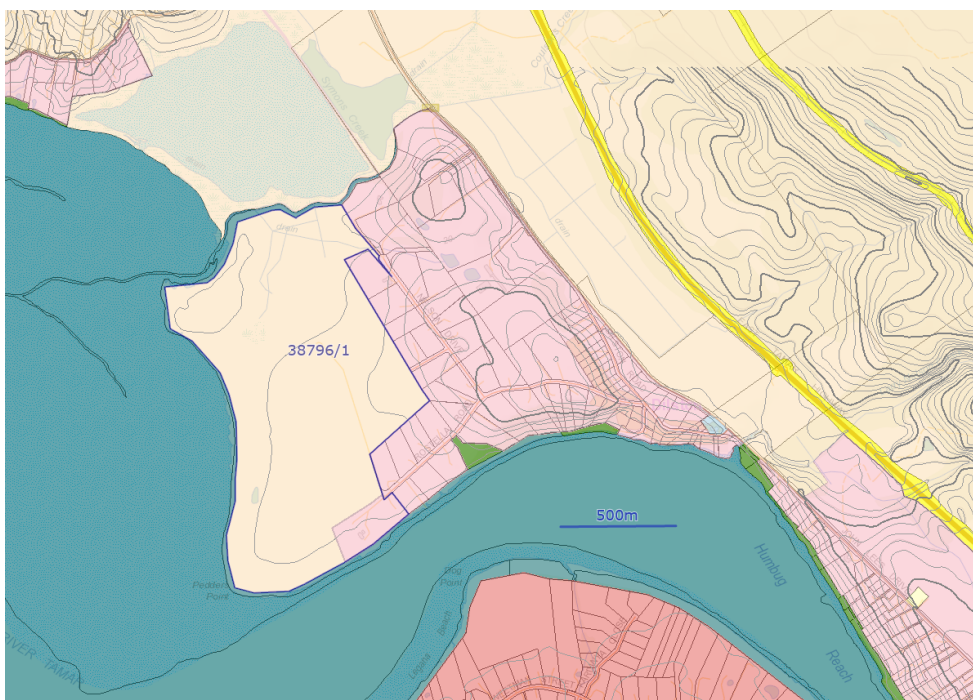
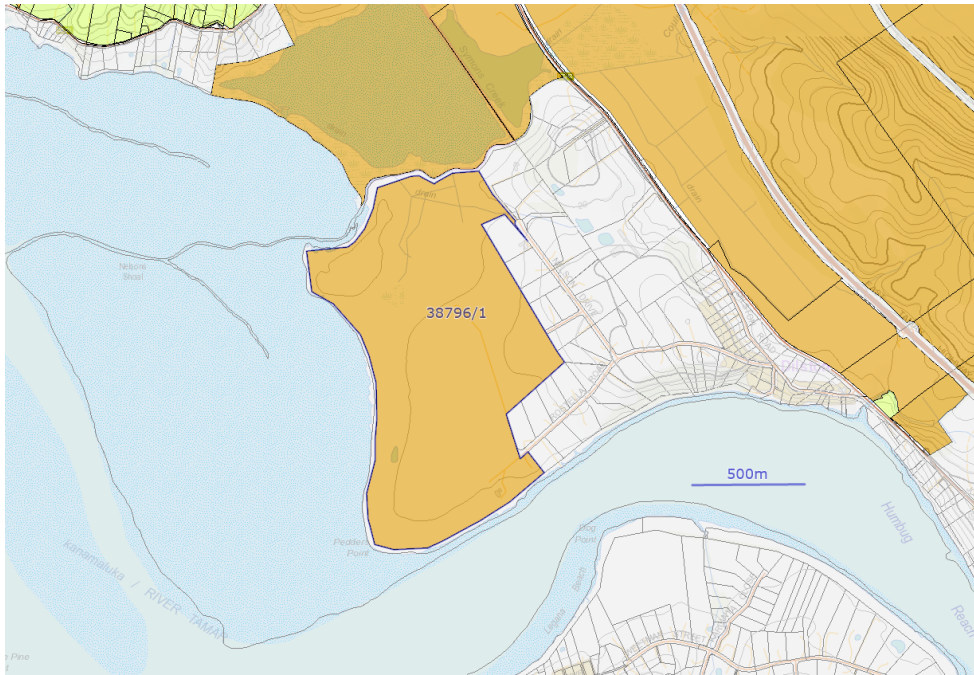
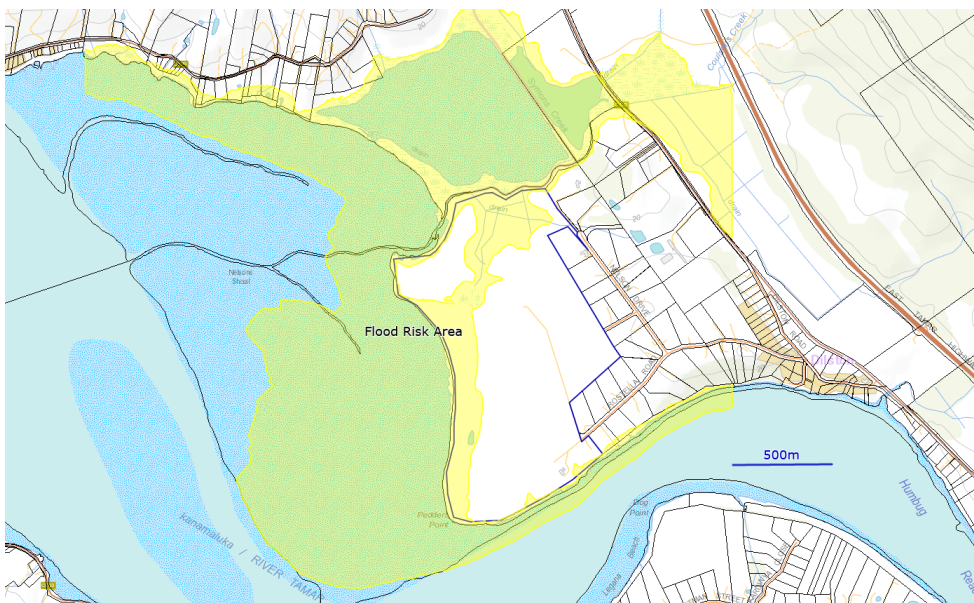


Figure 4 The property is zoned Rural Resource (light brown) under the Launceston Interim Planning Scheme and bordered by Rural Living zoned (pink) to the east and Environmental Management zone of the River Tamar. (Source: The LISTMap)



**Figure 5 Land potentially suitable for Agricultural zone. Orange - Potentially Unconstrained. (Source: The LISTMap)**



**Figure 6 Flood Risk Areas (in yellow) associated with the River Tamar and low-lying areas through the property (Source The LISTMaps).**



Figure 7 Threatened Native Species Communities 2020 map. There is a Threatened Species Communities recorded on the property - Wetlands (39) on the eastern side of the property (source the LIST).

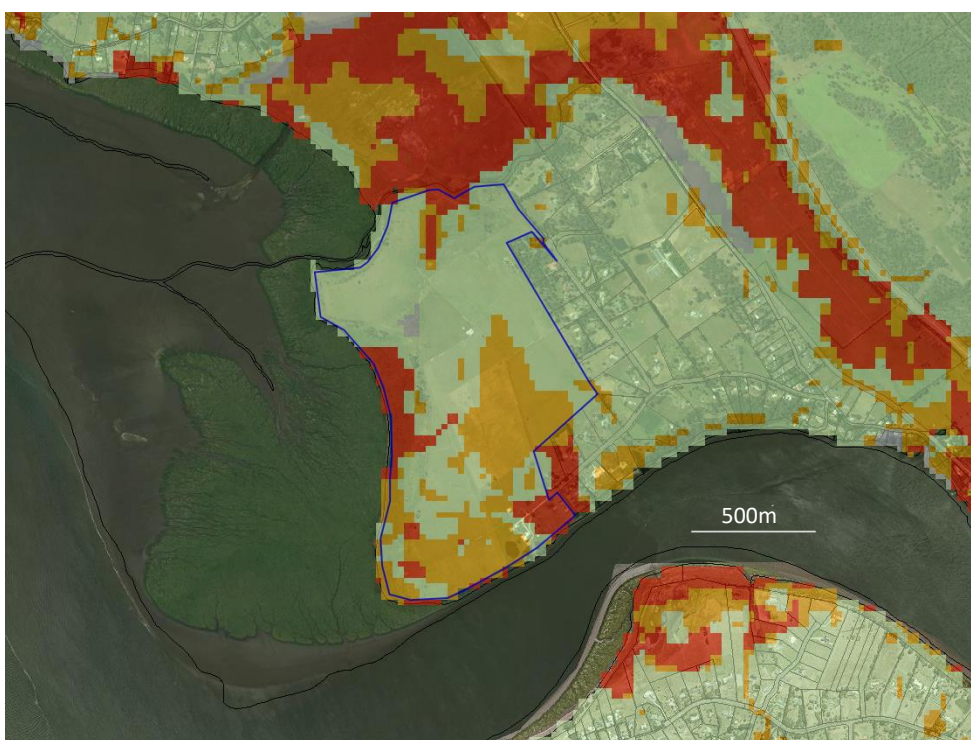


Figure 8 Salinity hazard areas across the property: Green - low, Orange - Moderate, Red - High

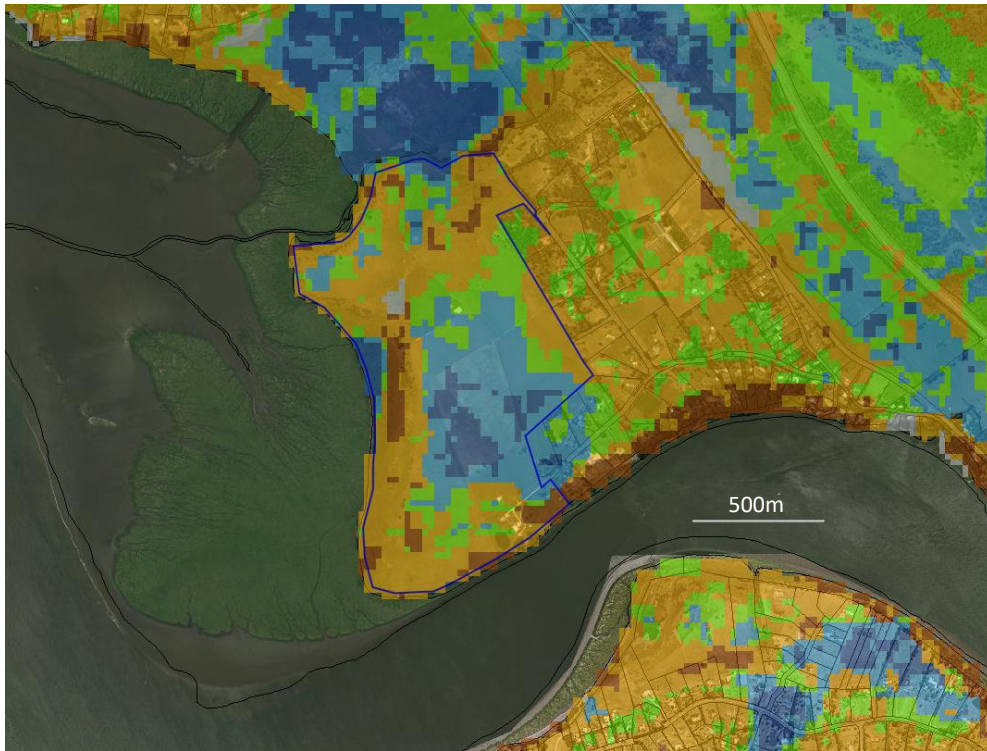


Figure 9 Soil waterlogging hazard areas. Dark blue – very high, Blue – High, Green – Moderate, Orange – Low, Red – Very low, dark red Nil

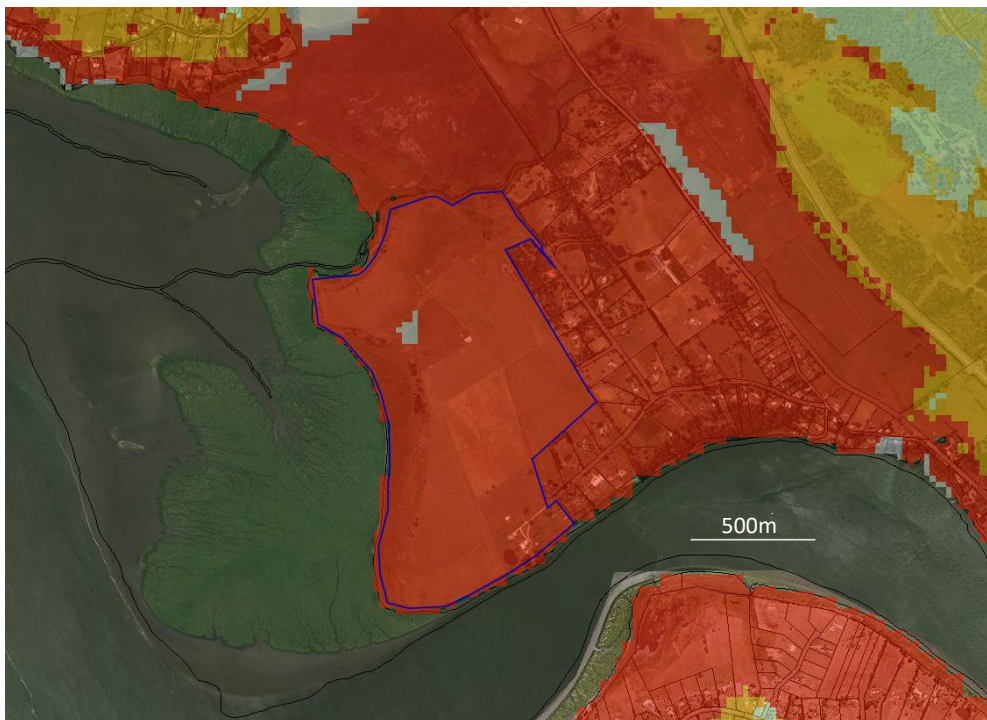


Figure 10 wind erosion hazard areas. Green – Nil, Yellow – low, orange - Moderate, Red - High

### 3.2 Land capability

Land capability of the property was assessed according to the Tasmanian Land Capability Classification System (Grose, 1999). Land is ranked according to its ability to sustain a range of agricultural activities without degradation of the land resource. Class 1 land is considered to be prime agricultural land and Class 7 land is unsuitable for agriculture due to severe limitations. A wide range of limitations are considered, and the most significant limitation determines its final classification. Limitations in relation to soils include stoniness, topsoil depth, drainage and erosion hazard. Limitations to topography include slope and associated erosion hazard.

The Dilston property consists of class 4e and 6d land (see Figure 7). This land is not prime agricultural land. This land has severe limitations for cropping and is limited (moderate) for pastoral use. Cropping is primarily limited by the risk of erosion on the sand and loam soils of the class 4 areas.

The class 6 areas comprise of a clay soil that is limited by soil depth and frequent waterlogging particularly in winter and including significant periods in the autumn and spring depending on seasonal rainfall patterns, resulting in the land being unsuitable for cropping. Established pastures will persist through waterlogging conditions so long as they are not directly damaged by livestock (pugging) or indirect damage by overgrazing that exposes the pasture to greater levels of stress and adversely impacts pasture persistence. Based on the annual winter rainfall and soil types in the class 6 land areas it is too waterlogged during winter to graze sustainably and therefore the stock should be confined to the drier banks on the property with supplementary feed.

Class 4 land is defined as:

*Land primarily suitable for grazing but which may be used for occasional cropping. Severe limitations restrict the length of cropping phase and/or severely restrict the range of crops that could be grown. Major conservation treatments and/or careful management is required to minimise degradation. Cropping rotations should be restricted to one to two years out of ten in a rotation with pasture or equivalent, during 'normal' years to avoid damage to the soil resource. In some areas longer cropping phases may be possible but the versatility of the land is very limited. (NB some parts of Tasmania are currently able to crop more frequently on Class 4 land than suggested above. This is due to the climate being drier than 'normal'. However, there is a high risk of crop or soil damage if 'normal' conditions return.) (Grose, 1999)*

Class 6 land is defined as:

*Land marginally suitable for grazing because of severe limitations. This land has low productivity, high risk of erosion, low natural fertility or other limitations that severely restrict agricultural use. This land should be retained under its natural vegetation cover.*

The key land capability limitations associated with this property are:

- Wet (w) caused by the movement of water both from surface run-off from the surrounding areas on the property and from a natural sub-soil springs in higher terraces that accumulates low-lying areas, resulting in areas remaining wet for prolonged periods over and above what it normally would under average rainfall conditions alone. Soil limitations contribute by restricted or impeded permeability (hardpan) within the soil profile, leading to the development of anaerobic conditions. This restricts the area crops can be planted and the time of the year for active growing without waterlogging stress is shorter. Crops grown over the winter half of the year would experience prolonged periods of waterlogging stress.
- Erosion (e) areas of lighter soil types some on exposed banks that with the vegetation is lost or removed will result in either wind and/or water erosion if the soils are exposed or bare ground.



Figure 11 Land capability on the property has been classified from the property inspection and as being class 4e and 6w land and boundaries defined as per the site visit on 2/9/21.

Table 2 Land capability assessment over title 38796/1.

Land Capability Class (ha)	Land Characteristics							
	Geology & Soils	Slope (%)	Topography & Elevation	Erosion Type & Severity	Soil Qualities	Agricultural Versatility	Main Land Management Requirements	Climatic Limitations
4e  (approx. 82.4ha)	Brown sandy loam topsoil gradationally transitioning to brown clay subsoil.  Rounded river gravel in the throughout the profile.  Terrace sediments  Dermosol	0-5%	Gently undulating to gentle sloped plain/river terrace.  1-3m above sea level.	Moderate water erosion and severe wind erosion if cultivated and/or soil exposed for prolong periods of time, particularly on banks with lighter soil types.	Moderately well-drained drained soil. Moderately Permeable. Topsoil depth at approx. 20-25cm deep.	Limited suitability for late spring and summer annual crops with measures to manage waterlogging. Therefore, the range of crops is significantly limited.  Suitable to pasture with some limitations (periods of waterlogging in the winter).	Avoid situations that lead to the exposure of bare soil, therefore maintain sufficient ground cover.  Manage stocking rates during periods of prolonged waterlogging.	Minor climate limitation with limited rainfall over the summer.  This region experiences mild winters and warm to hot summer conditions. Receives an average of 565mm annual rainfall, can experience 20 frost days annually, 1160 GDD (October – April) and 910 chill hours (May – August) on average.

Land Capability Class (ha)	Land Characteristics							
	Geology & Soils	Slope (%)	Topography & Elevation	Erosion Type & Severity	Soil Qualities	Agricultural Versatility	Main Land Management Requirements	Climatic Limitations
6w  (approx. 33.4ha)	Grey to black clay soil over heavy brown clay with orange mottles  Vertosol	0-8%	Gently undulating to gentle sloped plains/river terrace.  4-12m above sea level.	Moderate water erosion if cultivated and/or soil exposed for prolonged periods of time.	Imperfectly drained soil. Slowly Permeable. Topsoil depth at approx. 5-10cm deep.	Not suitable for cropping.  Severe limitations for pasture production (frequent periods of waterlogging).	Avoid situations that lead to the exposure of bare soil, therefore maintain sufficient ground cover.  Remove stock during periods of prolonged waterlogging	Minor climate limitation with limited rainfall over the summer.  This region experiences mild winters and warm to hot summer conditions. Receives an average of 565mm annual rainfall, can experience 20 frost days annually, 1160 GDD (October – April) and 910 chill hours (May – August) on average.

### 3.3 Soils

The soils present on the property are sandy loam across the majority of the arable area of the property with the soil transitioning to a sandy soil (wind-blown sands) on the southern end of the property. In the shallow gullies on the property are heavy clay soils that are experience frequent and prolonged periods of water logging.

The topography is undulating with clear river terraces formed through the deposit and erosion of sediments. Resistant sediments (ie clay soils) have established and persisted on the lower terraces. The lighter soils have accumulated in place due to alluvial and wind deposits over time. The soils are moderately well drained on the sandy loam soil and imperfectly drained on the grey - black clay soils. Water is slow to move across the land in depressions due to the slight gradient across the river terraces of lower plain of the Tamar valley. In these depressions are the black clay soils that accumulates the water in the winter resulting in frequent and prolonged water logging periods. The soils are moderately permeable, and well-structured with river stone in the soil profile. Soil depth varies depending on the position on the slope.

The key limitations associated with the soil type are:

- Wet (w) - resulting in waterlogging
- Erosion (e) – wind and water



Image 1 Soil profile 1 defined as brown clay-loam over clay, Dermosol, class 4 land (Taken at site assessment 2/9/21)



Image 2 Soil profile 2 defined as brown clay transitioning to black and orange clay subsoil, Vertosol, class 7 land (Taken at site assessment 2/9/21)



Image 3 Soil profile 3 defined as brown clay-loam over clay with smooth river rock deposited throughout the profile, Dermosol, class 4 land (Taken at site assessment 2/9/21)



Image 4 Soil pit 4 sandy loam over sand on the southern side of the property, class 4 land (Taken at site assessment 2/9/21)



Image 5 Soil pit 5, shallow clay topsoil transitioning to heavy clay subsoil. Class 6 land on the lowest flood plain terrace of the River Tamar.



Image 6 Pastures on class 4 land. In the background is the Rural Living area of Dilston and the neighbouring houses. (Taken at site assessment 2/9/21)



Image 7 View to the east from an elevated position on the property over the class 6 low-lying pasture areas. (Taken at site assessment 2/9/21)



Image 8 Southerly view of the class 6 land through the low-lying area through the middle of the property. Note surface drainage to allow the water to move off the surrounding land. (Taken at site assessment 2/9/21)



Image 9 Class 6 land on the eastern side of the property. (Taken at site assessment 2/9/21)



Figure 12 Class 4 land across the improved pasture through farm viewed from the north. Shows sheds, airstrip, and house in the background



Figure 13 Improved pasture on class 4 land (wind-blown sands soil) on the southern area of the property

## 4 Water Availability

The property is serviced by TasWater for the provision of drinking water but not sewerage service (The LISTMap).

The 135 Rostella Road property is not located in a declared irrigation district.

There are no current or potential irrigation dam sites on the property.

Therefore, the property is restricted in terms of its current and future diversity and intensity of agricultural land use activity due to the lack of availability of irrigation water.

## 5 Land Use Activity

### 5.1 Current agricultural land use

The property at 135 Rostella Road, Dilston is used for a pasture-based beef breeding and fattening enterprise. There is approximately 115.8ha of pasture area including the area used for houses, sheds, and stockyards. The property is well fenced (boundary and internal fencing) with stock water supplied to each paddock. Hay and silage are cut and baled each spring to supplementary feed out to the stock in the autumn and winter or as required.

There are no cash or fodder cropping occurring in the property due to the reliability of adequate rainfall to finish crops over the summer and a absence of irrigation water in the summer. Some areas of the farm become waterlogging in the winter.

There are no agricultural operations on the properties immediately surrounding the property as it directly borders Dilston to the east.

There is a grazing property to the north at Windermere. While this property does border the proponent's property it is separated by a Wetlands (a Threatened Native Species Community) which floods frequently at high tide and after rain events. This creates an operational and physical barrier to the adjoining property and integrating it into the proponent's operations. The property borders the River Tamar on all other sides.

### 5.2 Potential agricultural land use activities

#### 5.2.1 Cropping land use activity

The class 4 land on the property is considered suitable for occasional cropping. There is approximately 84ha of class 4 land on the property. Theoretically, class 4 land could be cropped 2 years in every 10 as per the definition of class 4 land (Grose 1999). Therefore, 16.8ha could be cropped each year. The range of crops is significantly limited due to the lack of irrigation to support crop over the summer and to maturity. Due to the constraints on the production system, the property could only support dryland crop production which limits the cropping options to dryland cereal production. Dryland cereal production in a low rainfall area has a gross margin of \$590/ha (DPIWE gross margin analysis). Therefore, a sustainable cropping gross margin on the property would contribute \$9,912 per year.

Class 6 land is not suitable for cropping.

### **5.2.2 Grazing land use activity**

The land on the property is suitable for pastoral use (class 4 and 6 land). Based on the area of available land, rainfall and the land capability, the potential livestock carrying capacity is 18.8 DSE/ha giving the property a total carrying capacity of 2165 DSE. A lactating cow with calf at foot can be worth up to 25 DSE's (MLA). Therefore, the property has the potential stocking rate of 86 cow/calf units. The property is currently stock to 75 cow/calf units.

As mentioned, due to the soil constraints and rainfall patterns over the season, the summer is limited in feed due to a soil moisture deficit, the autumn is constrained based on unreliable rainfall and the winter pasture production is limited due to waterlogging and insect pasture pests that limit active pasture growth. Excess pasture is baled for hay or silage in the spring to be utilised to fatten young stock or support the pregnant cows through the winter.

Based on the carrying capacity figures above the gross margin of a beef livestock enterprise is \$940/ha or \$108,250 over the entire property.

A total farm gross margin income of \$108,250 constitute a marginal income from an agricultural business and required a significant investment from the owner to support its financial commitments to land, infrastructure maintenance, replacement livestock purchases, animal husbandry, and business operations costs. Therefore, it has the economic scale of a lifestyle block that requires financial support from the owners off-farm employment, business or investment income rather than the farm generated income supporting the agricultural business and its expenses including wages to the owner/managers.

It is relevant to note that livestock enterprises require supervision and attention of livestock day and night, particularly during calving but also other times during weaning, for animal husbandry and animal health and wellbeing. Most livestock tasks are conducted during the day including checking livestock, feeding out and moving livestock to fresh paddocks. However, attending to livestock health and wellbeing requires the use of small machinery and lights during the evening, night and early morning outside normal business hours but is normal for an agricultural operation. This may result in current and future conflicts with local non-agricultural landholders if the animals are in close proximity to the residential dwellings from time to time.

### **5.2.3 Horticultural land use**

In the absence of irrigation water there is no opportunity to utilise the land and climate for a horticultural enterprise, including berries and viticulture.

## **5.3 Impact on agricultural activities and residential amenity**

Agricultural land and residential dwellings border each other in the general location of 135 Rostella Road. This potentially constrains the land use for primary industries particularly cropping and grazing agriculture due to the conflict and interference between the agricultural and non-agricultural activities. There are 15 residential dwellings that border the property in question, with the distance from the dwellings to the property boundary ranging from

approximately 40m to 150m (see figure 14). Rural living properties along the boundary are fully developed and there is little likelihood that the density of housing will increase along the boundary in the foreseeable future, therefore the level of risk of conflict or interference will not increase.

In the Tasmanian Planning Scheme setback distances in agricultural zone (20.4.2) Acceptable Solutions A2 states that buildings for a sensitive use must be separated from an Agricultural zone a distance of not less than 200m. While all the residential dwellings are within the prescribed 200m setback distance due to a combination of the density of housing, uniformity and size of property they are on and the scale of the farm itself the agricultural operational risk of conflict or interference is low to medium. Vegetation buffers associated with many of the residential properties further decreases the risk. It is noted that when the setbacks area applied to each dwelling it does encroach into the agricultural land use area and impact approximately 20.8ha (see Figure 15) along the approximate 1.9km boundary between the property and the Rural Living Zone.

After inspecting the property (site assessment completed 2<sup>nd</sup> September 2021), it has been concluded that the required buffer distances are sufficient to prevent unreasonable impact, conflict and interference of agricultural activities on residential amenity and vice versa so long as agricultural operational buffers are adhered to (i.e. spray buffer zones etc).

## 5.4 Impact of agricultural activity on neighbouring land of the proposed development

The neighbouring land use is predominantly non-agricultural. Normal pastoral activities have and are expected to have minimal impact on the neighbours in the future, with livestock noise at weaning and machinery noise. An assessment of the key risks is summarised in Table 3. This has been compiled on the basis that the neighbouring farm activities are likely to include livestock grazing.

**Table 3 Potential risk from agricultural land and activities on neighbouring land**

Potential Risk from Neighbouring Agricultural Land Activity	Extent of Risk & Possible Mitigation Strategy
1. Spray drift and dust	Risk = Medium. Existing buffer distances will mitigate the impact of sprays and dust if applied under normal recommended conditions. Ground or spot spraying is a practical and mostly used alternative on the adjacent agricultural land used for pastoral land use activities. Spraying events should be communicated in a timely manner to the inhabitants of the neighbouring residential dwellings. The use and application of agricultural sprays must abide by the Tasmanian Code of practice for ground spraying 2014.

2. Noise from machinery, livestock and dogs.	Risk = Medium. Some regular machinery traffic will occur when working with livestock to check and move them and undertaking general farming duties occasionally including but not limited to, mowing, raking and baling hay.
3. Irrigation water over boundary	Risk = Nil. This is not expected to be an issue. Irrigation is not normally practiced on the immediately adjacent agricultural land, however the property boundary separation distances involved would mitigate any potential issues.
4. Stock escaping and causing damage.	Risk = Low. Provided that boundary fences are maintained in sound condition. .
5. Electric fences	Risk = low. Mitigated by the proponent attaching appropriate warning signs on boundary fencing.

## 5.5 Impact of proposed development on agricultural activity of neighbouring land

The proposed rezoning, in consideration with the buffer zones, physical barriers and agricultural land use, have all been assessed as low risk impact to agricultural activity on neighbouring land. These potential impacts are usually manifested as complaints that could be made by residents of neighbouring dwellings. Other risks to neighbouring agricultural activity are outlined in Table 4. Some of these risks rely on an element of criminal intent and it could well be argued that this is very much lower with inhabitants of the dwelling than with other members of the public.

**Table 4 Potential risk from proposed development on neighbouring agricultural land use and activity**

Potential Risk to Neighbouring Agricultural Land Activity	Extent of Risk & Possible Mitigation Strategy
1. Trespass	Risk = low. Mitigation measures include maintenance of sound boundary fencing, lockable gates and appropriate signage to warn inhabitants and visitors about entry onto private land; report unauthorised entry to police.
2. Theft	Risk = low to medium. Ensure there is good quality boundary fencing on neighbouring properties and appropriate signage to deter inadvertent entry to property; limit vehicle movements, report thefts to police.
3. Damage to property	Risk = low. As for theft.
4. Weed infestation	Risk = low to medium. Risks are expected to be negligible, with the proponents committed to the productivity and sustainability of their property and weed control is a key activity. Biosecurity practices are followed with dirt covered vehicles washed down before visiting the property and vehicles staying on established gravel roads.
5. Fire outbreak	Risk = low. Fire risk can be mitigated by careful operation of outside barbeques and disposal of rubbish. A bushfire management plan would be prepared which covers the proposed development.
6. Dog menace to neighbouring livestock	Risk = low. Mitigated by ensuring that good communication is maintained between the proponent and residents of the neighbouring properties. Dogs would be managed as per the guidelines determined by the council.

## 5.6 Impact of proposed development on amenity of dwellings on nearby land

There are 36 residential dwellings within a 1-kilometre vicinity to the property (see Figure 11). As mentioned, 15 dwellings are on the properties boundary to the east and are 40-160m back from the boundary.



Figure 14 Residential dwellings (blue markers) in a 1km radius (teal outline) of the property proposed for re-zoning (blue outline) (Source: The LIST Map)



Figure 15 200m setback from each residential dwelling around the property's boundary, excluding the houses on the property itself (source: The List Map)

## 6 Local and regional agricultural significance

The property title in question holds a limited level of recognised local and regional agricultural significance. The percentage of the respective land capability class is shown in the table below that within the Pipers area the property in question represents 0.13% of the class 4 land and 0.08% of the class 6 land which is not significant in area.

The property has no prime agricultural land present on it.

The property is not within a Tasmanian Irrigation District.

This local area at Dilston has seen residential dwellings develop over time with little to no development to agricultural or rural land for primary industry use. This property has become land locked between the River Tamar and the rural living area of Dilston. A marshland to the north also isolates the property along with the river and Dilston from and to any other agricultural land to increase its scope.

Table 5 Land capability Pipers area

Land Capability Class	Pipers land capability mapping area		
	Land area (hectares)	Total mapped land area (hectares)	% of classed mapped area
4	84.2	62,975	0.13%
6	33.4	39,490	0.08%

## 7 Property improvement and development considerations

The property has been improved by the owners with new fencing, water throughs to each paddock, stockyards, pasture development and improvement, annual weed and pest control and annual fertiliser applications. As a livestock property it has been fully developed at significant expense.

## 8 Potential constraints analysis

An analysis of potential constraints for agricultural use on the title in question (38796/1) following the methodology established in the Agricultural Land Mapping Project (May 2017).

### ***Criteria 1: Is the title size a potential constraint for agricultural use?***

This property as per this report is classified under the Enterprise Suitability Cluster as (ES5) Broadacre – Dryland Pasture. As such the title is smaller than the minimum size of 333ha for the Enterprise Suitable Cluster. Go to criteria 2.

### ***Criteria 2: Are there potential constraints for the title being used or amalgamated with adjoining agricultural land?***

The capital value is less than \$50,000/ha (criteria 2A). The adjoining titles have a capital value greater than \$50,000/ha (criteria 2B) as they have residential dwellings build on them and are not valued as agricultural land. Go to Criteria 3.

***Criteria 3: Is the residential development potentially constraining agricultural land?***

The adjoining land to title 38796/1 is zoned Rural Living.

Therefore, the property is Potentially Constrained (Criteria 3) that it is not adjoining unconstrained land and it is adjoining residential development.

## 9 Proposed Rural Zoning

The proponent wishes to have the 135 Rostella Road property zoned as rural under the Tasmanian Planning Scheme.

In order to support the zoning proposal, responses to key considerations have been provided, as per RZ1, RZ2, RZ3 and AZ6.

### 1.1 RZ1

“The Rural Zone should be applied to land in non-urban area with limited or no potential for agriculture as a consequence of topographical, environmental or other characteristics of the area, and which is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone for the protection of specific values.”

#### **Response:**

The property is not located in an urban area, although it borders Dilston Rural Living Zone adjoining the property title (38796/1) to the east. As such based on the titles Enterprise Suitability Cluster – ES5 and the adjoining Rural Living Zone the property is Potentially Constrained (Criteria 3) as per the Constraints Analysis Flow Chart.

The property is limited in its current and potential agricultural land use activity, due to:

- Land capability and soil limitations – frequent and prolonged flooding of areas, wind and water erosion risks
- Proximity of residential dwellings conflicting with agricultural operational buffer zones (ie crop protection spray application buffer distances), operating hours and noise from machinery and livestock.
- Restricted irrigation water resources
- No irrigation water storage options on farm
- Not located in an irrigation district
- Highly restricted opportunity for diversification in agricultural enterprises beyond dryland low intensity pastoral activity

In reality due to a combination of the economic considerations, limitations to expand the size of the operations and no options to develop or access irrigation water for agricultural land use activity the properties agricultural productivity cannot be developed any further.

The property is located within a complex landscape and land use activity with neighbouring properties. On one side there is a rural living area and on the other the River Tamar – both features block or inhibit the property to become part of a larger agricultural land use area.

Therefore, rural zoning clearly is the most appropriate and suitable zoning for the property under the Tasmanian Planning Scheme.

### 1.2 RZ2

“The Rural Zone should only be applied after considering whether the land is suitable for Agriculture Zone in accordance with the ‘Land Potentially Suitable for Agriculture Zone’ layer published on the LIST.”

#### **Response:**

The “Land Potentially Suitable for Agriculture Zone” layer in the LIST map indicates that the 135 Rostella Road, Dilston has been identified as being unconstrained zoned land. A review of the property for this report using the Constraints Analysis Flow Chart under the correct Enterprise Suitability Cluster as set out in the Agricultural Land Mapping Project (2017) concludes that the property is Potentially Constrained (Criteria 3) rather than Unconstrained as land potential suitable for Agricultural Zoning. This is consistent with the economic analysis of this property and agricultural enterprise.

As outlined in the response to RZ1 due to land capability issues impacting the production potential, land and enterprise management considerations with the proximity of adjacent properties the majority of the property is incapable of supporting economic agricultural land use activity at present and in the future.

This report provides a clear and detailed assessment of the highly constrained current and future agricultural uses on the property, which does not correspond to the property being recognised as being unconstrained for agricultural use.

### 1.3 RZ3

“The Rural Zone may be applied to land identified in the ‘Land Potentially Suitable for Agriculture Zone’ layer if;

- (a) it can be demonstrated that the land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;
- (b) it can be demonstrated that are significant constraints to agricultural use occurring on the land
- (c) the is identified for the protection of a strategically important naturally occurring resources which is more appropriately located in the Rural Zone and is supported by strategic analysis;
- (d) the land is identified for a strategically important use of development that is more appropriately located in the Rural Zone and is supported by a strategic analysis
- (e) it can be demonstrated, by strategic analysis that the Rural Zone is otherwise more appropriate for the land.”

#### **Response:**

- (a) The land is limited for agricultural use and is not integral to the management of a larger farm holding that will be within the Agricultural Zone due to:
  - Soil limitations of water logging in the winter and soil moisture deficit in summer that limits plant growth and development
  - Class 4 and 6 land

- Scale of the property
  - Restricted availability of irrigation water to the property
  - The property is bordered by a Rural Living area (Dilston) and the River Tamar
- (b) There are significant constraints to agricultural use due to soil and water limitations and the neighbouring residential dwellings impacting agricultural operations within the property. A review of the Constraints Analysis as set out in the Agricultural Land Mapping Project (2017) identifies that this title is Potentially Constrained (Criteria 3).
- (c) No strategically important naturally occurring resources have been identified on the property
- (d) The property title in question have been assessed as having no strategic important use or development, rather the land is of particularly low value in terms of agricultural land use in its current developed state.
- (e) Based a review and assessment of the local and regional significance the property titles in question hold no important and/or critical agricultural values. The economic analysis of the grazing and cropping land uses options demonstrate that the land capability cannot support a profitable enterprise of this nature and therefore should be zoned Rural to allow a broader range of land uses, consistent with the surrounding area.

#### 1.4 AZ6

“Land identified in the ‘Land Potentially Suitable for Agriculture Zone’ layer may be considered for alternative zoning if:

- (a) Local or regional strategic analysis has identified or justified the need for alternate consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;
- (b) For the identification and protection of a strategically important naturally occurring resource which requires an alternate zoning;
- (c) For the identification and protection of significant natural values, such as priority vegetation area as defined in the Natural Assets Code, which required an alternate zoning, such as the Landscape Conservation Zone or Environmental Management Zone;
- (d) For the identification, provision or protection of strategically important uses the require an alternate zone; or
- (e) It can be demonstrated that:
  - (i) The land has limited or no potential for agricultural use and is not integral to the management of a larger farm holding that will be within the Agriculture Zone;
  - (ii) There are significant constraints to agricultural use occurring on the land; or
  - (iii) The Agriculture Zone is otherwise not appropriate for the land

#### Response:

AZ6 is answers point e) as points a) to d) do not apply in this case.

- e) The property title in question has a limited level of current and potential agricultural land use activity, due to:
  - I. The low level of land capability present, that being dominated by class 4 and 6 land.

- II. The land on the property title is completely developed in terms of agricultural land use including infrastructure such as paddock fencing and improved pastures but is not able to develop irrigation to support pasture production over the late spring, summer and autumn, therefore limiting the property to its current level of production that is not sufficient to economically support itself as a standalone business with or without future investment.
- III. Only being suitable for a severely restricted opportunity for land use activity that being for dryland low intensity pastoral use.

## 10 Conclusion

1. The development consists of a proposed rezoning of the property title in question under the Tasmanian Planning scheme from Agricultural to Rural.
2. A review of the property using the Constraints Analysis Flow Chart as set out in the Agricultural Land Mapping Project (2017) demonstrated that the property is Potentially Constrained (Criteria 3) not Unconstrained. This is consistent with the agricultural assessment of the property and the potential conflicts with and surrounding and associated limitations to agricultural land use.
3. The land capability and soil constraints limit the property to a grazing enterprise. Utilising the land for annual cropping has severe limitations and it is not suitable for perennial cropping without irrigation water.
4. Agricultural economic returns are not adequate to support the enterprise and employee's and is therefore a large lifestyle property that's operations are subsidised by off-farm income.
5. Proximity of surrounding residential dwellings has limited the agricultural activities and any possibility to integrate the property into a larger agricultural property.
6. Limitations to developing the agricultural land uses now and in the future with no access to irrigation scheme water or the capacity to capture water on farm. The property is located outside irrigation districts.
7. The proximity of surrounding residences impacts a portion of the property's agricultural land use when agricultural buffers are applied to lower the risks of interference and conflict. These buffers would be managed by the agricultural operation which does not protect the agricultural land area for maximum agricultural use.
8. It is not practical or feasible for the property to be integrated into a larger agricultural property.
9. The rural zoning of the property title in question is commensurate with the current and future potential land use activity that could be conducted on the property and associated severe limitations associated with this land.

## 11 References

Tasmanian Planning Scheme

Tasmanian Planning Scheme – Rural and Agriculture, Factsheet 4, Department of Justice, Tasmanian Government, 2017.

Guideline No. 1 Local Provisions Schedule (LPS): zone and code application, Tasmanian Government, Amended June 2018

Launceston Interim Planning Scheme 2015

Launceston Draft LPS Zone Maps

Noble, KE. (1993) Land Capability Classes of Tasmania, Pipers 1:100,000 map. Department of Primary Industries Water and Environment, Tasmania.

Noble, KE. (1993) Land Capability Survey of Tasmania, Pipers Report. Department of Primary Industries Water and Environment, Tasmania.

Grose C.J. (1999) Land Capability Handbook: Guidelines for the Classification of Agricultural Land in Tasmania. 2nd Edition, DPIWE, Tasmania.

## 12 Declaration

I declare that I have made all the enquiries which I consider desirable or appropriate, and no matters of significance which I regard as relevant have, to my knowledge, been withheld.

*Jason Barnes*

Mr Jason Barnes BAgSc (Hons)  
Senior Consultant  
Pinion Advisory Pty Ltd  
September 2021



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# Submission to the Launceston draft Local Provisions Schedule

Representation to rezone 135 Rostella Road, Dilston from Agriculture Zone  
to Rural Zone

**September 2021**

Job Number: L210830  
Prepared by: Michelle Schleiger ([michelle@woolcottsurveys.com.au](mailto:michelle@woolcottsurveys.com.au))  
Town Planner  
Reviewed by: James Stewart ([james@woolcottsurveys.com.au](mailto:james@woolcottsurveys.com.au))  
Senior Planner

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[woolcottsurveys.com.au](http://woolcottsurveys.com.au)

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## 1. Introduction

This report has been prepared as a representation to the Launceston draft LPS with regard to land at 135 Rostella Road, Dilston, under Section 35E of the *Land Use Planning and Approval Act 1993* (the Act). This report proposes that the subject site be zoned for 'Rural' under the Tasmanian Planning Scheme (TPS). The following provides relevant information and responds to the relevant provisions and strategies pertaining to the land.

### 1.1 Summary

The following is a summary of the land information:

Address	'ROSTELLA' - 135 ROSTELLA RD DILSTON TAS 7252
Property ID	7562436
Title	38796/1
Total Site Area	117.4ha
Council	Launceston Council
Current Zone	Rural Resource
Current Overlays	Bushfire Prone Area Scenic Management Area Flood Risk Area
Future (planned) Zone	Agriculture
Future (planned) Overlays	Local Heritage Place Waterway and Coastal Protection Bushfire Prone Areas Coastal Inundation Hazard Flood-prone Hazard Areas Landslip Hazard Coastal Erosion Hazard Scenic Protection Area

### 1.2 The proposal

This representation proposes that the land be zoned to 'Rural' under the draft LPS instead of 'Agriculture Zone'.

A report by Pinion Advisory has been prepared in support of this proposal and is provided at Annexure 1. This report provides the supporting arguments for the land to be zoned Rural instead of Agriculture due to physical constraints to the land and proximity to residential areas. The landlocked nature of the location means expansion and improvements are limited. The land is not suited to be zoned as Agriculture, and the Rural Zone is more appropriate.

## **2. Zone Assessment**

### **2.1 Zone application**

#### **Guideline No.1 Local Provisions Schedule (LPS) Zone and code application**

The report provided by Pinion Advisory provides a response to the zone and code application.

## **3. Conclusion**

The Rural zone is a more applicable zone for the land with respect to the limitations on how it can be farmed and how the land can be maintained. The Rural zoning would allow for the agricultural activities to continue but also, given the broader range of uses allowed, the land could be better utilised according to its capability.

## **Annexure 1 – Agricultural assessment and planning scheme compliance report – Pinion Advisory**



**Launceston**  
Head office  
10 Goodman Court  
Invermay 7250  
p (03) 6332 3760

**St Helens**  
East Coast office  
48 Cecilia Street  
St Helens 7216  
p (03) 6376 1972

Land Surveying | Town Planning | Project Management

**w** [woolcottsurveys.com.au](http://woolcottsurveys.com.au) **e** [office@woolcottsurveys.com.au](mailto:office@woolcottsurveys.com.au)

**Hobart**

South office  
Rear studio, 132 Davey Street  
Hobart 7000  
**p** (03) 6227 7968

**Devonport**

North west office  
2 Piping Lane  
East Devonport 7310  
**p** (03) 6332 3760