
From: Grace Elliott [REDACTED]
Sent: Monday, 4 May 2026 1:57 PM
To: Kingborough LPS
Cc: Emma Riley; [REDACTED] LPS Submission
Subject: [REDACTED] submission
Attachments: [REDACTED] LPS submission_4 May 2026.pdf

Good afternoon,

Please find attached a submission responding to proposed zoning [REDACTED] Kingston, prepared by Era Advisory on behalf of representor 385.

Kind regards,

era

Grace Elliott
Planner

grace@era-advisory.com.au
0477 488 670

Era Advisory supports flexible work practices. I work a 9 day fortnight with alternating Fridays.

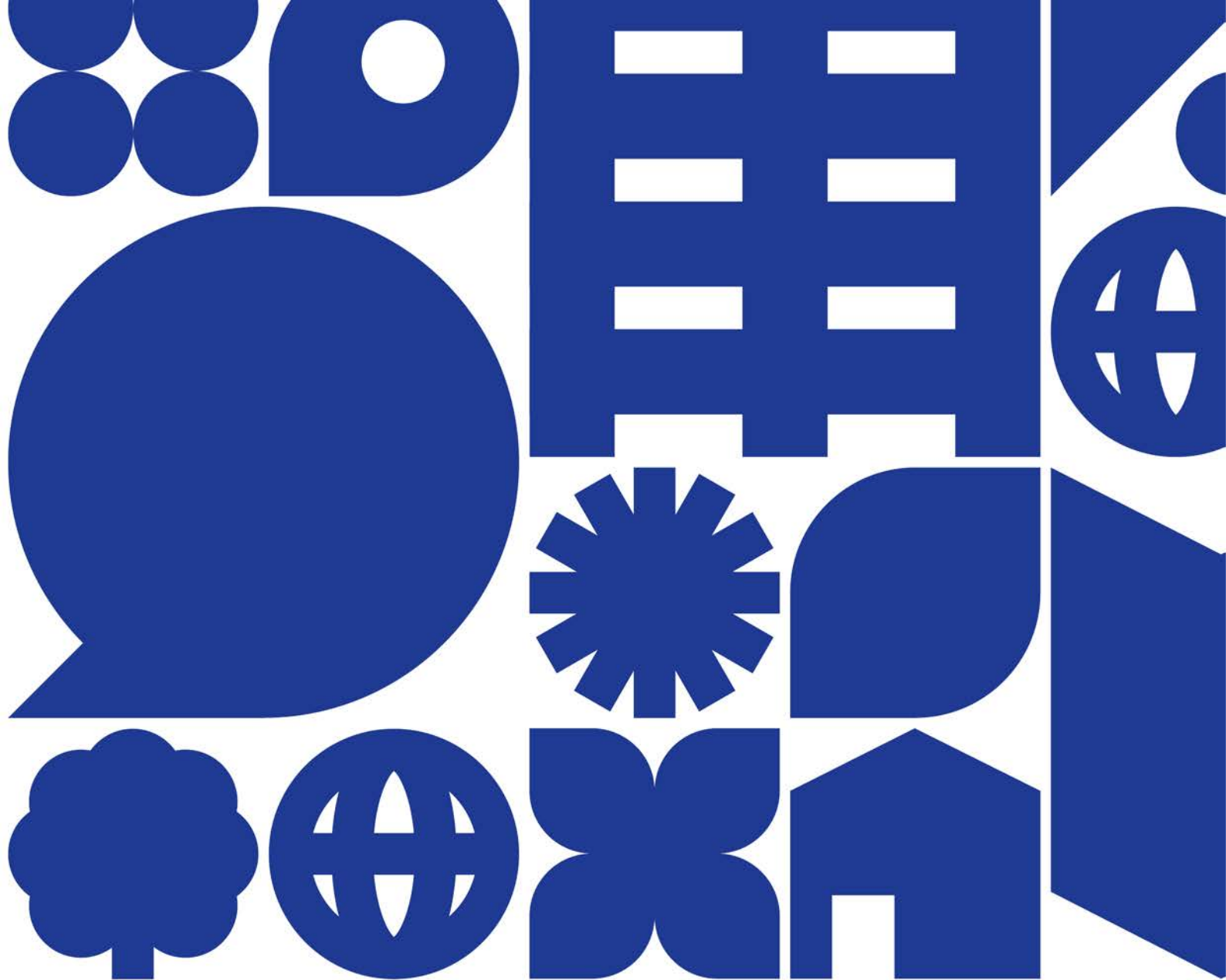
Level 1, 125A Elizabeth St
Nipaluna (Hobart) TAS 7000
(03) 6165 0443
era-advisory.com.au



We acknowledge and respect Palawa people as the Traditional Owners of Lutruwita (Tasmania). They are the original custodians of our land and waters. We respect their unique ability to care for country and deep spiritual connection to it. We honour Elders past and present whose knowledge and wisdom has and will ensure the continuation of culture and traditional practices.

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[Redacted]

[Redacted]

Kingston

Kingborough LPS submission

Era Advisory acknowledge palawa as the Traditional Owners of lutruwita (Tasmania).

They are the original custodians of our land, sky and waters.

We respect their unique ability to care for country and deep spiritual connection to it.

We honour and pay our respect to Elders past and present, whose knowledge and wisdom has and will ensure the continuation of culture and traditional practices.

We acknowledge that their sovereignty has never been ceded.

Always was, always will be.

Era Advisory Pty Ltd

ABN 21 681 443 103

Level 1, 125A Elizabeth St Hobart 7000
(03) 6165 0443

enquiries@era-advisory.com.au
era-advisory.com.au

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Project	██████████ LPS Submission
Document version	Submission to TPC
Date	May 2026
Author	Grace Elliott
Reviewer	Emma Riley
Job number	██████████ 2526-063

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1 Introduction

1.1 Purpose

Era Advisory have been engaged by Richard Maddock to prepare a planning submission in response to the Kingborough Local Provisions Schedule (LPS). This submission specifically addresses the applied zoning of Agriculture at [REDACTED] and Landscape Conservation at [REDACTED]

The primary purpose of this submission is to provide a strategic planning assessment of the sites against the applicable planning instruments, to determine the appropriateness of the Landscape Conservation Zone (LCZ) and Agriculture Zone (AZ) applications, or whether an alternative zone is better suited to each lot. This submission provides an assessment of the Rural Zone (RZ) as an alternative zone, based on the characteristics and current and future uses of the sites. The final recommendations of this report are based on consideration of the applicable strategic planning instruments.

1.2 Enquiries

Enquiries relating to this planning application should be directed to:

Emma Riley
Managing Director
Era Advisory
emma@era-advisory.com.au
0409 787 715

1.3 Background

John and Veronika Maddock submitted a representation to Council on 9 December 2024 objecting to the application of the LCZ and AZ at the sites and requesting that the land be zoned Rural (Representation 385). Accordingly, our client is given the opportunity to submit a written submission to the Tasmanian Planning Commission ahead of a scheduled hearing.

2 Subject sites

The sites that are the subject of this submission are owned by the Maddock family, with [REDACTED] [REDACTED] being owned by Richard Maddock (recently transferred in ownership) and the sites at [REDACTED] [REDACTED] being owned by his parents, John and Veronika Maddock. The property continues however to be managed together by Richard Maddock.

Table 1 Subject sites

No.	Address	Title reference	Property ID	Ownership
1	[REDACTED] Kingston	[REDACTED]	[REDACTED]	John and Veronika Maddock
2	[REDACTED] Kingston	[REDACTED]	[REDACTED]	John and Veronika Maddock
3	[REDACTED] Kingston	[REDACTED]	[REDACTED]	John and Veronika Maddock
4	[REDACTED] Kingston	[REDACTED]	[REDACTED]	[REDACTED] Holdings Pty Ltd (Richard Maddock)



Figure 1 Subject sites and surrounds (Source: LISTmap)



3.1 Summary

The planning authority has recommended application of the Agriculture Zone to Sites 1 and 2 based on the Agricultural Land Mapping Project, which identifies the land as 'Potentially Unconstrained'. That mapping has been relied upon as a guide for the spatial application of zones under the LPS.

However, the Agricultural Land Mapping Project Background Report explicitly cautions that the mapping is not intended to function as a definitive strategic land use planning tool. It is predominantly based on desktop analysis and does not account for detailed, site-specific constraints. The report anticipates that local planning authorities will need to rely on additional datasets and more detailed local analysis when making zoning decisions.

In this case, a detailed agricultural assessment has been prepared by a suitably qualified practitioner (AgAssist) and is provided at Appendix A. That assessment demonstrates that Sites 1 and 2 are subject to significant constraints that materially limit their agricultural potential, including limited scale of productive land, constrained water availability, proximity to established residential areas, and resultant land-use conflict risks.

The Section 8A guidelines expressly allows land identified in the Agricultural Land Mapping Project to be considered for alternative zoning where detailed analysis demonstrates that agricultural use is constrained, or the Agriculture Zone is otherwise not appropriate. In this instance, the AgAssist assessment provides a robust, site-specific evidentiary basis for concluding that the Agriculture Zone would not achieve its zone purpose if applied to the land.

Accordingly, reliance on the mapping alone is insufficient. When considered alongside on-ground conditions and the findings of the agricultural assessment, the application of the Rural Zone represents a more accurate and policy consistent zoning outcome.

3.2 Site description

1 [REDACTED] (CT [REDACTED]) 1A [REDACTED] (CT [REDACTED]) and 1 [REDACTED] (CT [REDACTED]) hereafter referred to as Site 1, Site 2 and Site 3 (respectively), have historically been used for agricultural purposes. They have been a mixed farm, producing vegetables, apples, apricots, small fruits, running sheep for wool and meat, pigs, dairy cattle, and beef cattle. Today, however, the only agricultural use across the sites is cattle grazing. The three sites are managed as an integrated whole.

Built form across the sites consists of a dwelling, outbuildings, water tanks and a dam at Site 1, and a dwelling, outbuildings and a dam at Site 2. The land use live dataset describes the primary land use across the sites as rural residential without agriculture (land use code 5.4.3), with a reservoir/dam at Site 2 (land use code 6.2.0) and some residual native cover at Site 3 (land use code 1.3.3).

Residential growth in Kingston and Huntingfield has reduced the separation between residential areas and the subject sites over time. General Residential Zones (as existing and proposed) now essentially adjoin the area, separated only by the Utilities Zone accommodating the road corridor. The closest dwelling is

located less than 50 m from Site 1. The residential growth shapes the character of the area and limits the types of agricultural activities that can occur onsite.

3.3 Current and proposed provisions

Table 2 Current zone and code applications (interim planning scheme) compared to proposed applications (LPS) for [REDACTED]

Lot	Provision	Current	Draft LPS
Site 1 (CT [REDACTED])	Zone	Rural Resource	Agriculture
	Code overlays	- E1.0 Bushfire-Prone Areas Code - E8.0 Electricity Transmission Infrastructure Protection Code - E9.0 Attenuation Code - E10.0 Biodiversity Code - E11.0 Waterway and Coastal Protection Code - E14.0 Scenic Landscapes Code	- C4.0 Electricity Transmission Infrastructure Protection Area - C7.0 Waterway and Coastal Protection Area - C8.0 Scenic Protection Area - C13.0 Bushfire-Prone Areas
	General overlays	Nil	Nil
Site 2 (CT [REDACTED])	Zone	Rural Resource	Agriculture
	Code overlays	- E1.0 Bushfire-Prone Areas Code - E3.0 Landslide Code - E9.0 Attenuation Code - E10.0 Biodiversity Code - E14.0 Scenic Landscapes Code	- C8.0 Scenic Protection Area - C13.0 Bushfire-Prone Areas - C15.0 Landslip Hazard
	General overlays	Nil	Nil
Site 3 [REDACTED]	Zone	Rural Resource	Rural
	Code overlays	- E1.0 Bushfire-Prone Areas Code - E3.0 Landslide Code - E9.0 Attenuation Code - E10.0 Biodiversity Code - E14.0 Scenic Landscapes Code	- C7.0 Priority Vegetation - C8.0 Scenic Protection Area - C13.0 Bushfire-Prone Areas - C15.0 Landslip Hazard
	General overlays	Nil	Nil

3.4 Planning authority assessment

3.4.1 Section 35F report

Kingborough Council's S35F report on representations for the Draft LPS provides a response to the representation submitted. The response (relating to Sites 1 and 2) is as follows:

This zoning application reflects the TPC's directive to apply the AZ more broadly within Kingborough, in accordance with the State Government's Agricultural Land Mapping Project. The RZ can be considered as an alternative to the AZ under AZ 6 of the State Government's LPS Guidelines but requires discussion with the representor and the TPC at the public hearings.

3.5 Strategic alignment

3.5.1 Surrounding area

A mix of zoning surrounds the area with Rural Living Zone proposed to the south, General Residential Zone and Open Space Zone proposed to the east and north and separated by a Utilities Zone corridor, Rural Zone proposed to the northwest and Landscape Conservation Zone and Agriculture Zone proposed to the west.

Site 3 is currently proposed to be zoned Rural. Applying the Rural Zone to Sites 1 and 2 in addition to Site 3 would be consistent with a coordinated approach to land use zoning, particularly as the three sites are managed as an integrated whole. It would also reduce potential land use conflict between the sites and the nearby General Residential Zone.

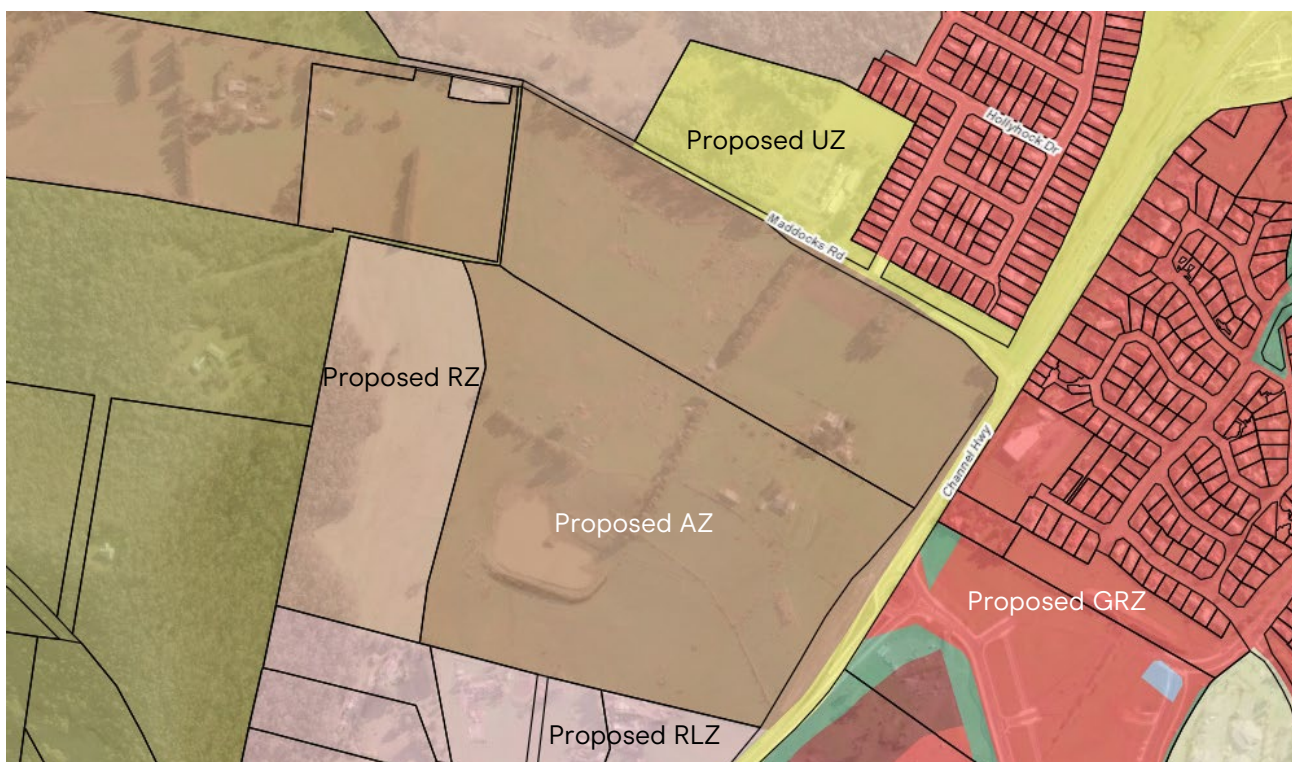


Figure 2 Proposed zoning of the site and surrounds

3.5.2 Section 8A Guideline No.1

Any proposed rezoning must demonstrate being consistent with the Guidelines under Guideline No.1 of Local Provisions Schedules, issued by the Tasmanian Planning Commission under section 8A of the *Land Use Planning and Approvals Act 1993*. (Section 8A guidelines)

3.5.2.1 Agriculture Zone

The purpose of the Agriculture Zone is:

21.1.1 To provide for the use or development of land for agricultural use.

21.1.2 To protect land for the use or development of agricultural use by minimising:

(a) conflict with or interference from non-agricultural uses;

*(b) non-agricultural use or development that precludes the return of the land to agricultural use;
and*

(c) use of land for non-agricultural use in irrigation districts.

21.1.3 To provide for use or development that supports the use of the land for agricultural use.

Table 3 Assessment of [REDACTED] against the AZ application guidelines

No.	Guideline	Response
AZ 1	The spatial application of the Agriculture Zone should be based on the land identified in the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST, while also having regard to: (a) any agricultural land analysis or mapping undertaken at a local or regional level for part of the municipal area which: (i) incorporates more recent or detailed analysis or mapping; (ii) better aligns with on-ground features; or (iii) addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer, and where appropriate, may be demonstrated in a report by a suitably qualified person, and is 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) any other relevant data sets; and (c) any other strategic planning undertaken at a local or regional level 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.	The land is identified in the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST. Notwithstanding this, the application of the zone must have regard to agricultural land analysis or mapping undertaken at a local level that is prepared by a suitably qualified person. An agricultural assessment report has been prepared for this land by a suitably qualified person (AgAssist) and is attached in Appendix A. The agricultural assessment report demonstrates that the 'Land Potentially Suitable for Agriculture Zone' layer, which identifies the land as 'Potentially Unconstrained', is not consistent with current analysis and mapping. As such, it is considered that in this instance the spatial application of the Agriculture Zone should not be based on the 'Land Potentially Suitable for Agriculture Zone' layer and should instead be based on the findings of the agricultural assessment report. The agricultural assessment report concludes that the Agriculture Zone is not appropriate for the site as there are significant constraints to agricultural use occurring at the site.
AZ 2	Land within the Significant Agriculture Zone in an interim planning scheme should be included in the Agriculture Zone unless considered for an alternate zoning under AZ 6.	The land is not within the Significant Agriculture Zone in the interim planning scheme. AZ 2 is not applicable.
AZ 3	Titles highlighted as Potentially Constrained Criteria 2A, 2B or 3 in the 'Land Potentially Suitable for Agriculture Zone' layer may require further investigation as to their suitability for inclusion within the Agriculture Zone, having regard to: (a) existing land uses on the title and surrounding land; (b) whether the title is isolated from other agricultural land; (c) current ownership and whether the land is utilised in conjunction with other agricultural land; (d) the agricultural potential of the land; and (e) any analysis or mapping undertaken at a local or regional level 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.	The titles are not highlighted as Potentially Constrained Criteria in the 'Land Potentially Suitable for Agriculture Zone' layer. AZ 3 is not applicable.

No.	Guideline	Response
AZ 4	The 'Potential Agricultural Land Initial Analysis' layer may assist in making judgements on the spatial application of Agriculture Zone, including, but not limited to: (a) any titles that have or have not been included in the 'Land Potential Suitable for the Agriculture Zone' layer, including titles that are surrounded by land mapped as part of the LIST layer; (b) any titles highlighted as Potentially Constrained Criteria 2A, 2B or 3; (c) outlying titles that are either included or excluded within the 'Land Potential Suitable for the Agriculture Zone' layer; and (d) larger titles or those with extensive areas of native vegetation cover.	It is not considered that the 'Potential Agricultural Land Initial Analysis' is required for making judgements on the spatial application of the Agriculture Zone in relation to this site.
AZ 5	Titles may be split-zoned to align with areas potentially suitable for agriculture, and areas on the same title where agriculture is constrained. This may be appropriate for some larger titles.	The lots are not considered to be of a size appropriate for split-zoning.
AZ 6	Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if: (a) local or regional strategic analysis has identified or justifies the need for an 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 areas as defined in the Natural Assets Code, which require an alternate zoning, such as the Landscape Conservation Zone or Environmental Management Zone; (d) for the identification, provision or protection of strategically important uses that 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.	The three sites were identified in the 'Land Potentially Suitable for Agriculture Zone' layer. AZ 6 (e) allows the land to be considered for alternate zoning if there are significant constraints to agricultural use occurring on the land and/or if the Agriculture Zone is otherwise not appropriate for the land. The agricultural assessment report prepared by AgAssist makes the following conclusion: <i>the majority of the land is constrained by slope, rock outcrop, waterlogging, limited water availability and low soil resilience, resulting in only limited potential for low intensity agricultural use. The scale of productive land and available water is insufficient to support a viable commercial enterprise. In addition, the proximity to residential zones creates a high risk of land use conflict without adequate buffering.</i> While the land is mapped as predominantly Class 3, 4 and 6 on the LIST, the detailed site assessment identifies additional areas of Class 5, 5r and 4w, reflecting localised constraints. The Agriculture Zone is not appropriate for the land, as the agricultural assessment report concludes that the land is best suited to low-intensity grazing with only minor, hobby farm scale opportunistic cropping or horticultural use, rather than any form of commercial-scale agricultural enterprise. The land can be considered for alternative zoning as enabled through AZ 6 (e).

No.	Guideline	Response
AZ 7	Land not identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for inclusion within the Agriculture Zone if: (a) local or regional strategic analysis has identified the land as appropriate for the Agriculture Zone 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) the land has similar characteristics to land mapped as suitable for the Agriculture Zone or forms part of a larger area of land used in conjunction with land mapped as suitable for the Agriculture Zone; (c) it can be demonstrated that the Agriculture Zone is appropriate for the land based on its significance for agricultural use; or (d) it addresses any anomalies or inaccuracies in the 'Land Potentially Suitable for Agriculture Zone' layer, and having regard to the extent of the land identified in the 'Potential Agricultural Land Initial Analysis' layer.	The land is identified in the 'Land Potentially Suitable for Agriculture Zone' layer. AZ 7 is not applicable.
Note	<i>Further details on the Agricultural Land Mapping Project can be found in the Agricultural Land Mapping Project: Background Report, April 2017, including the methodology used in generating the 'Land Potentially Suitable for Agriculture Zone' and the 'Potential Agricultural Land Initial Analysis' layers. The Background Report is available on the Department of Justice, Tasmanian planning reform website (www.justice.tas.gov.au/tasmanian_planning_reform).</i>	Details on the Agricultural Land Mapping Project have been considered in this assessment.

3.5.2.2 Rural Zone

The purpose of the Rural Zone is:

20.1.1 To provide for a range of use or development in a rural location:

- (a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;*
- (b) that requires a rural location for operational reasons;*
- (c) is compatible with agricultural use if occurring on agricultural land; and*
- (d) minimises adverse impacts on surrounding uses.*

20.1.2 To minimise conversion of agricultural land for non-agricultural use.

20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.

Table 4 Assessment of [REDACTED] against the RZ application guidelines

No.	Guideline	Response
RZ 1	The Rural Zone should be applied to land in non-urban areas 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.	Despite its proximity to the General Residential Zone to the northeast and east, the land is considered to be rural in nature. It is located on the urban fringe, with expansive rural landscapes to the west (such as Leslie Vale). As demonstrated in the agricultural assessment report, there is limited potential for agriculture as the result of topographical, environmental and other characteristics (e.g., proximity to residential). The site is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone as the site is not intended for landscape or environmental conservation as a primary function. The remnant vegetation at Site 3 will be appropriately managed through application of the priority vegetation overlay, and the scenic landscape value across the sites will be managed through application of the scenic protection area overlay. The land is consistent with RZ 1.
RZ 2	The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land Potentially Suitable for Agriculture Zone' layer published on the LIST.	Suitability for the Agriculture Zone has been considered in detail. Based on the outcomes of the agricultural assessment report, the Agriculture Zone is not appropriate for the site. The Rural Zone can be applied.
RZ 3	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 there are significant constraints to agricultural use occurring on the land; (c) the land is identified for the protection of a strategically important naturally occurring resource 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 or development that is more appropriately located in the Rural Zone and is supported by strategic analysis; or (e) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.	The land is identified in the 'Land Potentially Suitable for Agriculture Zone' layer. Under RZ 3, the Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer if it meets one of the prescribed criteria. The Rural Zone may be applied to the land through (a) and (b) as the agricultural assessment report demonstrates that the land has limited potential for agricultural use due to significant constraints. The land is not integral to the management of a larger farm holding. The agricultural assessment report prepared by AgAssist makes the following conclusion: <i>the majority of the land is constrained by slope, rock outcrop, waterlogging, limited water availability and low soil resilience, resulting in only limited potential for low intensity agricultural use. The scale of productive land and available water is insufficient to support a viable commercial enterprise. In addition, the proximity to residential zones creates a high risk of land use conflict without adequate buffering.</i> The Rural Zone is appropriate for the land, as the agricultural assessment report concludes that the land is best suited to low-intensity grazing with only minor, hobby farm scale opportunistic cropping or

No.	Guideline	Response
		horticultural use, rather than any form of commercial-scale agricultural enterprise.

3.5.3 Southern Tasmania Regional Land Use Strategy

The application of the Rural Zone to the sites is supported by the STRLUS policies.

Table 5 Key policies in the STRLUS relevant to the site at [REDACTED]

Regional policy	Regional sub-policy	Response
PR 1 Support agricultural production on land identified as regionally significant by affording it the highest level of protection from fettering or conversion to non-agricultural uses.	PR 1.1 Utilise the Agriculture Zone to identify land significant for agricultural production in the planning scheme and manage that land consistently across the region.	The subject land is not significant for agricultural production. Application of an alternative zone is consistent with the policy.
	PR 1.2 Avoid potential for further fettering from residential development by setting an acceptable solution buffer distance of 200 metres from the boundary of the Agriculture Zone, within which the planning scheme is to manage potential for land use conflict.	The subject land is located in close proximity to General Residential and Rural Living zones. The nearest dwelling is located approximately 50 m from the site. As discussed in the agricultural assessment report, rezoning to Agriculture would create a high likelihood of land use conflict, particularly in relation to noise, odour and agricultural spraying associated with more intensive grazing, cropping or horticultural operations. The ability to implement adequate buffers to manage these impacts is constrained by the size and configuration of the land, further limiting its suitability for agricultural intensification. As such, the buffers required by the acceptable solution provide an additional constraint to agricultural use at the site, in turn contributing to the appropriateness of applying the Rural Zone as an alternative.

3.6 Response to planning authority assessment

The planning authority has recommended application of the Agriculture Zone to Sites 1 and 2 in accordance with the Agricultural Land Mapping Project. The Agricultural Land Mapping Project produced the 'Land Potentially Suitable for Agriculture Zone' map, which identifies the three sites as Potentially Unconstrained agricultural land. The mapping is to be used by the planning authority as a guide for the spatial application of the Agriculture Zone and has been used as such. However, the constraints to this guide are discussed in the Agricultural Land Mapping Project Background Report as follows:

Despite the sophisticated methodology, the mapping is not intended to be a definitive strategic land use planning tool as it is predominantly a desktop analysis and has only focussed on assessing the agricultural potential of the land. Local planning authorities will need to utilise this data in conjunction with a range of other data sets and information sources in making strategic land use planning decisions about some of the areas identified.

As such, the spatial application of the Agriculture Zone must also have regard to agricultural land analysis undertaken at a local level. The Agriculture Zone application under the Section 8A guidelines, as informed by the Agricultural Land Mapping Project, allow for identified agricultural land to be considered for alternate zoning.

The agricultural assessment of the sites, produced by a suitably qualified person (AgAssist), is attached in Appendix A and provides a current detailed analysis of the agricultural capability of the site. It demonstrates that the site is significantly constrained for agricultural use.

3.6.1.1 Primary constraints to agricultural use

The agricultural assessment report provides detailed information on the agricultural constraints across the sites. The primary constraints across the sites as a whole are identified as follows:

- The subject land is located in close proximity to General Residential and Rural Living zones. Rezoning to Agriculture would create a high likelihood of land use conflict, particularly in relation to noise, odour and agricultural spraying associated with more intensive grazing, cropping or horticultural operations. The ability to implement adequate buffers to manage these impacts is constrained by the size and configuration of the land, further limiting its suitability for agricultural intensification.
- The suitable agricultural soils at the site are limited and fragmented across the property. As such, the overall area of land suitable for higher-value agricultural use is insufficient to support a viable commercial enterprise.
- The limited availability of irrigation water (3.5 ML annually) significantly restricts the scale of any irrigated enterprise.
- The property has not received meaningful fertiliser or lime inputs over an extended period (approximately 20 years), and soil fertility levels are expected to be low. While fertility could be improved through standard inputs, this would not overcome the fundamental limitations of scale and water availability.
- Under a grazing scenario (assuming pasture improvement), the property may support a modest livestock enterprise, but this would remain relatively small in a commercial context.
- Approximately 2 ha of the site is non-arable due to significant surface rock and boulder outcrop, with some lower-lying areas that are prone to seasonal waterlogging.
- The mudstone-derived soils are prone to structural degradation under repeated cultivation.

3.7 Recommendation

The Section 8A guidelines establish the following key principle at Clause 3.4 applicable to all zones:

The primary objective in applying a zone should be to achieve the zone purpose to the greatest extent possible.

The proposed application of the Rural Zone at Site 3 is considered appropriate. However, Sites 1 and 2 should also be in the Rural Zone as an alternative to the proposed Agriculture Zone. The agricultural assessment report contains the following analysis:

the Rural Zone is the most appropriate zoning for the land, as it recognises the site's limited agricultural capability, its physical and environmental constraints, and its interface with sensitive residential land uses. This zoning better reflects the land's realistic use potential and ensures that future use and development is of a scale and intensity appropriate to its setting, without creating unreasonable conflict with surrounding uses.

It is understood that the proposed Agriculture zoning is based on the Agricultural Land Mapping Project which identified the sites as Potentially Unconstrained agricultural land. However, the agricultural assessment prepared by AgAssist demonstrates that the land is significantly constrained and more suited to Rural Zone application.

Overall, the application of Rural Zone across the three sites at [REDACTED] would be consistent with the Section 8A guidelines, the STRLUS, and represent a coordinated approach to zoning which would support ongoing and future land uses at the site.



4.1 Summary

The site at [REDACTED] is wholly declared as a Private Timber Reserve (PTR 3029), reflecting its historic, current and intended forestry use. Forestry operations have occurred on the site and are intended to continue.

Council has taken the position that PTR status should not influence zoning outcomes, on the basis that forestry activities are exempt from the planning scheme and that land within a PTR may be developed for other purposes. While it is accepted that PTR status does not, of itself, determine zoning, it remains a highly relevant land-use characteristic that must be considered in determining the most appropriate zone.

The Landscape Conservation Zone expressly prohibits plantation forestry. While forestry operations within a PTR are protected under section 11(3) of the LUPA Act, applying a zone that fundamentally conflicts with the primary intended land use produces an internal inconsistency between zoning intent and land-use reality.

The Southern Tasmania Regional Land Use Strategy 2010–2035 explicitly recognises that Private Timber Reserves should be “appropriately zoned, such as the Rural Zone.” This policy direction confirms that forestry use is not neutral to zoning decisions and should be positively recognised through zone selection rather than treated as incidental.

When regard is had to the existence of the PTR, the continuation of forestry operations, and the broader suite of ongoing and proposed rural uses, the Rural Zone provides a clearer and more coherent alignment between zoning purpose and land function than the Landscape Conservation Zone. Threatened vegetation values and local level scenic values can be appropriately managed through the application of code overlays

4.2 Site description

The property has been used for farming purposes by the Maddock family for nearly a century, with a history of cropping, forestry, and grazing. There is evidence of at least one sawmill on the property, with sawlogs having been provided and sold in the 1950s and the supply of blue gum piles for the Electrona Wharf in 1966. Dairy and beef cattle grazing, along with hay production, also occurred during the 1970s and 1980s. Grazing continued on the site until approximately six years ago. Firewood production and sales were undertaken until relatively recently.

The entire property is designated as a Private Timber Reserve (PTR), reflecting its ongoing forestry use. The primary land use at the site is described as production from relatively natural environments (land use code 2.2.0 Production native forests).

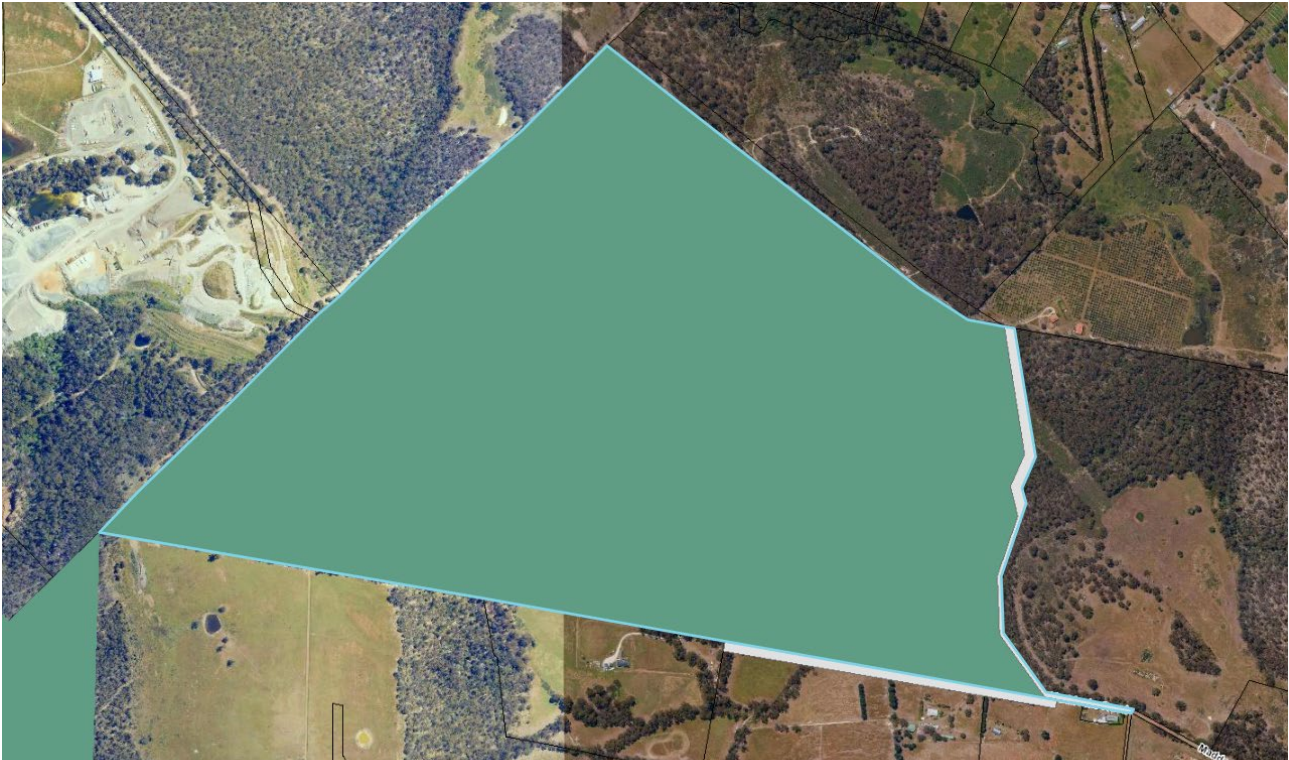


Figure 3 Private Timber Reserve shown covering the full site with access easements shown in grey (Source: LISTmap)

According to a survey of the site undertaken by North Barker Ecosystem Services (see Figure 4 and Appendix B), there are a mix of vegetation communities present. This includes areas of threatened vegetation communities (DGL, DTO and DVO). Modified land classifications across the site include agricultural land (FAL), improved pasture with native tree canopy (FAC), permanent easements (FPE) and extra-urban miscellaneous (FUM).

Provision	Current	Draft LPS
Code overlays	• E1.0 Bushfire-Prone Areas Code • E3.0 Landslide Code • E8.0 Electricity Transmission Infrastructure Protection Code • E9.0 Attenuation Code • E10.0 Biodiversity Code • E11.0 Waterway and Coastal Protection Code	• 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
General overlays	Nil	Nil

4.4 Planning authority assessment

4.4.1 Section 35F report

Kingborough Council's S35F report on representations for the Draft LPS provides a response to the representation submitted. The response is as follows:

The land is currently zoned Environmental Living under the KIPS2015, and Council considers that the application of the LCZ is consistent with the strategic intent and justification outlined in the LPS supporting document.

Forestry operations within a declared Private Timber Reserve (PTR) are exempt from the LUPAA and the Planning Scheme. As such, the underlying zoning does not affect these activities. However, any use or development other than exempt forestry operations remains subject to the relevant zone provisions. While the PTR status reflects a forestry use, it does not determine the appropriate zoning. The zoning must reflect the broader characteristics and values of the land, ensuring that future development is appropriately assessed under LUPAA and the Scheme.

Notwithstanding the above, Council acknowledges the concerns raised and is open to discussing them further with the representor at the public hearings. Council is also willing to explore alternative zoning options, including the potential for split zoning where this would better align with the broader zoning pattern and planning objectives for the locality.

4.4.2 Irenelnc report

Irenelnc were engaged to undertake an independent review of the proposed application of the Landscape Conservation Zone. The Irenelnc report focuses on the Rural Living Zone as an alternative for the Landscape Conservation Zone.

██████████ is assessed in Section 2.6 (Leslie Vale) of the Irenelnc report and is referred to as the 'southern portion' of the locality (in combination with an adjoining parcel). The report states:

The southern portion contributes a large area of bushland cover which contributes northern most part of the continuous ridgeline and hillside areas of vegetation which appear as elevated corridors along the extent of the channel area.

The report does not recommend changes to the application of the LCZ in the 'Leslie Vale' assessment area, stating:

In considering the evaluation framework, the resulting zone pattern considerations, the already addressed modifications and the Zone Guidelines, the exhibited planning scheme zoning is generally supported in terms of extent of proposed LCZ and RLZ throughout the locality. No further changes are recommended.

4.5 Strategic alignment

4.5.1 Surrounding area

One adjoining land parcel at [REDACTED] is also proposed to be zoned Landscape Conservation. Adjoining land parcels at [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED] are proposed to be zoned Rural. Applying the Rural Zone to the subject site would be consistent with a coordinated approach to land use zoning.

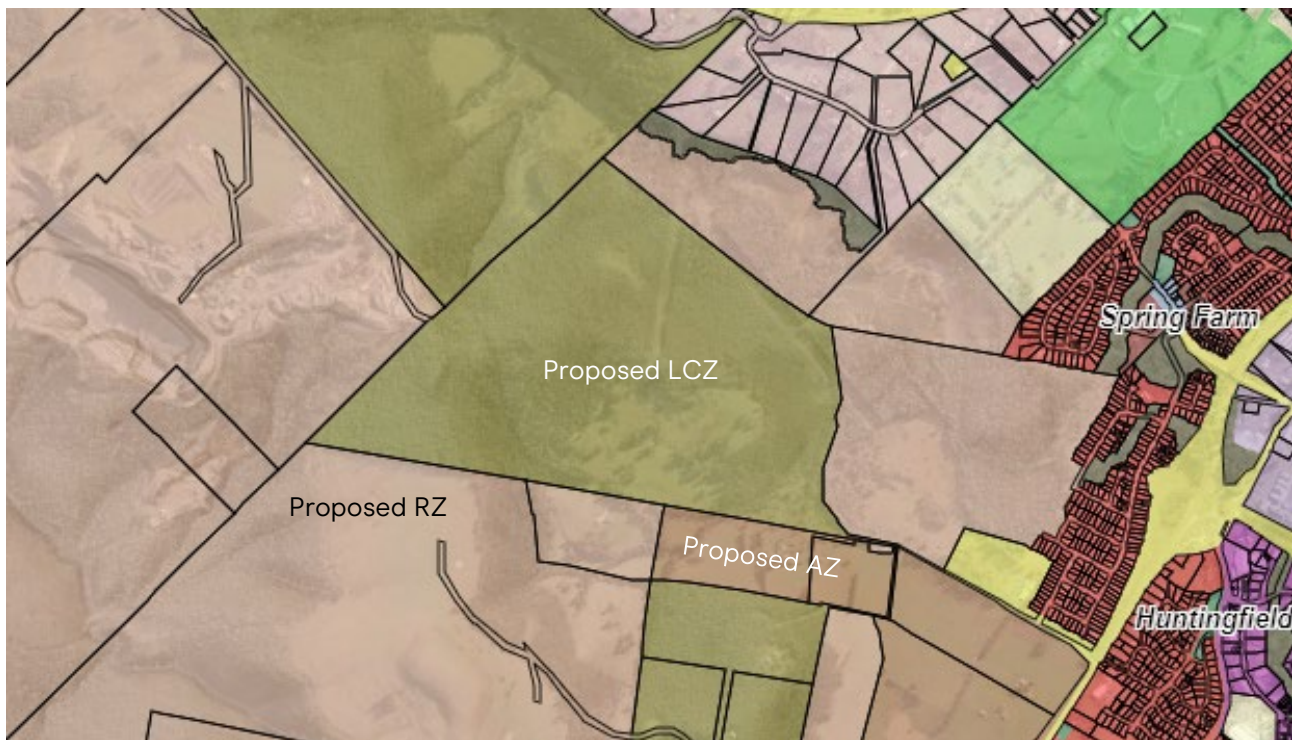


Figure 5 Proposed zoning of the site and surrounds

4.5.2 Section 8A Guideline No.1

Any proposed rezoning must demonstrate being consistent with Section 8A guidelines.

4.5.2.1 Landscape Conservation Zone

The purpose of the Landscape Conservation Zone is:

22.1.1 To provide for the protection, conservation and management of landscape values.

22.1.2 To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.

Table 7 Assessment of [REDACTED] against the LCZ application guidelines

No.	Guideline	Response
LCZ 1	The Landscape Conservation Zone should be applied to land with landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values, where some small scale use or development may be appropriate.	Landscape values at [REDACTED] include bushland and scenic values across the ridgeline that have been identified for protection through the Scenic Protection Overlay as well as natural values through the Priority Vegetation Overlay., the existence of the PTR on the site implies that overall, the site is not identified for protection and conservation. A PTR is an area specifically set aside for forestry purposes and forestry activities undertaken in a PTR in accordance with the <i>Forest Practices Act 1985</i> can be affected by the Tasmanian Planning Scheme as outlined in section 11(3) of the <i>Land Use Planning and Approvals Act 1993</i> (LUPA Act). The LCZ prohibits forestry activities on land within that zone. While technically because of section 11(3) of the LUPA Act, forestry in the PTR area will be able to continue regardless of the zoning, application of the LCZ to the land creates a direct inconsistency with the purpose of the land under the forest practices regime.
LCZ 2	The Landscape Conservation Zone may be applied to: (a) large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation; (b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or (c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.	The site does have large areas of bushland some of which contains threatened native vegetation communities. While the land is not reserved for conservation values it is a Private Timber Reserve and therefore arguably already otherwise reserved. Additionally, the Natural Assets Code and Scenic Protection Code will both apply to the site regardless of the zoning. The application of the codes will provide for appropriate management of the landscape values that have been identified by Council where non-forestry activities are proposed, although in a manner that is more responsive to the spatial location of these values on the site.
LCZ 3	The Landscape Conservation Zone may be applied to a group of titles with landscape values that are less than the allowable minimum lot size for the zone.	The site is larger than the minimum lot size of 50 ha. Consistent with LCZ 3.
LCZ 4	The Landscape Conservation Zone should not be applied to: (d) land where the priority is for residential use and development (see Rural Living Zone); or (e) State-reserved land (see Environmental Management Zone).	The priority is not for residential use and development, and the land is not state-reserved. Consistent with LCZ 4.
Note	<i>The Landscape Conservation Zone is not a replacement zone for the Environmental Living Zone in interim planning schemes. There are key policy differences between the two zones. The Landscape Conservation Zone is not a large lot residential zone, in areas characterised by native</i>	It is noted that the LCZ is not a replacement zone for the Environmental Living Zone and thus other potentially suitable zones such as Rural Zone require consideration.

No.	Guideline	Response
	vegetation cover and other landscape values. Instead, the Landscape Conservation Zone provides a clear priority for the protection of landscape values and for complementary use or development, with residential use largely being discretionary. Together the Landscape Conservation Zone and the Environmental Management Zone, provide a suite of environmental zones to manage use and development in natural areas.	

4.5.2.2 Rural Zone

The purpose of the Rural Zone is:

20.1.1 To provide for a range of use or development in a rural location:

(a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics;

(b) that requires a rural location for operational reasons;

(c) is compatible with agricultural use if occurring on agricultural land;

(d) minimises adverse impacts on surrounding uses.

20.1.2 To minimise conversion of agricultural land for non-agricultural use.

20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.

Table 8 Assessment of [REDACTED] against the RZ application guidelines

No.	Guideline	Response
RZ 1	The Rural Zone should be applied to land in non-urban areas 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.	The site has limited potential for agriculture due to topographical and environmental characteristics. It is appropriate for low intensity grazing and cropping activities. Under the land capability assessment, it is a mix of class 5 and class 6 land. Class 5 land is land unsuited to cropping and with slight to moderate limitations to pastoral use. Class 6 land is land marginally suited to grazing due to severe limitations. It is noted that soil has been imported to support potential cropping activities at the site despite the suitability assessment. The land is not more appropriately included within the Landscape Conservation Zone or Environmental Management Zone due to current and future uses at the site demonstrating the primary intention of the site is not for conservation, given the Private Timber Reserve status on the land. Consistent with RZ 1.
RZ 2	The Rural Zone should only be applied after considering whether the land is suitable for the Agriculture Zone in accordance with the 'Land	The land is not identified as land potentially suitable for Agriculture Zone on the LIST. Consistent with RZ 2.

No.	Guideline	Response
	Potentially Suitable for Agriculture Zone' layer published on the LIST.	
RZ 3	The Rural Zone may be applied to land identified in the 'Land Potentially Suitable for Agriculture Zone' layer, if: (f) 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; (g) it can be demonstrated that there are significant constraints to agricultural use occurring on the land; (h) the land is identified for the protection of a strategically important naturally occurring resource which is more appropriately located in the Rural Zone and is supported by strategic analysis; (i) the land is identified for a strategically important use or development that is more appropriately located in the Rural Zone and is supported by strategic analysis; or (j) it can be demonstrated, by strategic analysis, that the Rural Zone is otherwise more appropriate for the land.	The land is not identified as land potentially suitable for Agriculture Zone on the LIST. Consistent with RZ 3.

4.5.3 Southern Tasmania Regional Land Use Strategy

The application of the Rural Zone to the site is supported by the STRLUS policies.

Table 9 Key policies in the STRLUS relevant to the site at [REDACTED]

Regional policy	Regional sub-policy	Response
PR 5 Support the forest industry.	PR 5.1 Working forests, including State Forests and Private Timber Reserves (for commercial forestry), are to be appropriately zoned, such as the Rural Zone.	The site is a Private Timber Reserve which has been used and has potential to be used for commercial forestry. Rural Zone is therefore appropriate for the site.
CV 4 Recognise and manage significant local historic and scenic landscapes throughout the region to protect their key values.	CV 4.3 Protect existing identified key skylines and ridgelines around Greater Hobart by limited development potential and therefore clearance through the zones in the planning scheme.	Application of the Rural Zone limits development potential through the zones in the planning scheme. It is noted that the Scenic Protection Code will also manage development on the ridgeline at the site.

4.6 Response to planning authority assessment

4.6.1 Private Timber Reserve status

The site is a Private Timber Reserve (ID 3029). It is observed that throughout the Huon Valley LPS process, land parcels which were mapped as a Private Timber Reserve were removed from the LCZ application to align with the State Planning Provisions and Local Provision Schedule Guidelines. In the Huon Valley, Private Timber Reserved land tends to be zoned as Rural.

Conversely, Kingborough Council took the view that the Private Timber Reserve status of the land should not affect zoning assessment. The Kingborough S35F report states:

Forestry operations within a declared Private Timber Reserve (PTR) are exempt from LUPAA and the Scheme. As such, the underlying zoning does not affect this use. However, other uses and developments within a PTR remain subject to the relevant zone provisions. Since a PTR can be developed for purposes other than forestry, its status does not dictate the underlying zone. This ensures that any development subject to LUPAA and the Scheme is based on the land's characteristics and the zoning, rather than the PTR status.

Council and Irenelnc both argue that Private Timber Zone status should not dictate the underlying zone as a Private Timber Reserve can be developed for purposes other than forestry. However, we confirm that the Private Timber Reserve over [REDACTED] is for the purpose of forestry. Forestry has occurred and will continue to occur at this site, which is strategically inconsistent with the application of the LCZ.

As previously outlined, while other non-forestry activities can occur, the implications of these values can be appropriately managed through overlays and code application. As such, application of the Rural Zone is appropriate.

Additionally, *The Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS) confirms that 'whilst much forestry activity exists outside of the jurisdiction of the LUPA Act, the activities of the forestry industry nevertheless have some land use planning implications and impacts on other use and development' (p. 64). The STRLUS subsequently contradicts the argument that a Private Timber Reserve status should not dictate the underlying zone, with policy PR 5.1 stating:

Working forests, including State Forests and Private Timber Reserves (for commercial forestry), are to be appropriately zoned, such as the Rural Zone.

4.6.2 Irenelnc assessment

The Irenelnc report concludes that the site at [REDACTED] should remain LCZ as it is not identified as having rural living characteristics but does have significant landscape values containing areas of bushland on the northern most part of the continuous ridgeline and hillside areas of vegetation which appear as elevated corridors along the extent of the channel area.

The assessment only weighs up the LCZ and RLZ as potential options for the site. It supports the application of the LCZ as the site does not demonstrate rural living characteristics but does demonstrate landscape value.

The report does not assess potential application of the RZ as an alternative zoning that would align with current and future uses at the site while providing for protection of significant landscape values. If the RZ was to be applied, landscape values containing areas of bushland on the ridgeline and hillside areas could be appropriately managed through the proposed application of the Scenic Protection Code.

4.6.3 Adequacy of code provisions

As discussed throughout the Irenelnc report, the identification of landscape values should not alone determine zoning outcomes. Rather it must be considered whether the operation of relevant codes can appropriately manage the protection of landscape values. The Irenelnc report identified limited commentary on the Councils consideration of whether landscape values could be appropriately managed by codes in the context of applying alternative zones than the LCZ.

In the case of [REDACTED] the implementation of priority vegetation area, waterway and coastal protection area, and scenic protection area overlays mean that the Natural Assets Code and Scenic Protection Code will apply to use and development.

Natural Assets Code

The Natural Assets Code will apply to development within the priority vegetation area and waterway and coastal protection area overlays at the site. The priority vegetation area overlay is proposed for the majority of the site, and the waterway and coastal protection area along waterways.

The Natural Assets Code is in place to ensure that buildings and works within a waterway and coastal protection area do not have an unnecessary or unacceptable impact on natural assets, and that clearance of native vegetation within a priority vegetation area does not result in unreasonable loss of priority vegetation, is appropriately managed to adequately protect identified priority vegetation, and minimises and appropriately manages impacts from construction and development activities.

Scenic Protection Code

The scenic protection area is proposed to apply to almost the full site, except for an area along the western boundary which is a lower elevation. All proposed development within the scenic protection area will be subject to the Scenic Protection Code. The Scenic Protection Code is in place to ensure that destruction of vegetation and/or proposed building and works do not cause an unreasonable reduction of the scenic value of the scenic protection area.

4.7 Recommendation

The Section 8A guidelines establish the following key principle at Clause 3.4 applicable to all zones:

The primary objective in applying a zone should be to achieve the zone purpose to the greatest extent possible.

The LCZ zone purpose is:

- To protect, conserve and manage landscape values; and
- To allow compatible use or development that does not adversely impact on those landscape values.

The LCZ is intended for land where landscape protection is the primary purpose. It prohibits plantation forestry. While a PTR exists specifically to protect the right to undertake forestry operations free from planning scheme interference, applying the LCZ to land declared as a PTR would render the zone's use table directly inconsistent with the purpose of the PTR declaration.

In comparison the land characteristics more closely align with the purpose of the Rural Zone because its characteristics align with the intended use and objectives of that zoning. The Rural Zone is designed to support productive rural activities and uses, including forestry, agriculture, and other primary industries, while allowing for ongoing rural land management. While Council has identified scenic values on the land and there are extensive areas of bushland some of which are threatened vegetation communities, the primary land use purpose is not for conservation of natural or scenic values by way of its PTR status.

Zoning the land as Rural provides a better fit for its existing and intended use, ensuring alignment with planning provisions and its PTR status.

The landscape values onsite can be appropriately managed by the Natural Assets Code and Scenic Protection Code. The application of the LCZ, combined with the provisions of the Natural Assets Code and Scenic Protection Code, would substantially limit the types of use and development that can occur onsite.

Additionally, it is noted that the site is currently proposed to be split zoned, where a small section of the access road is proposed to be zoned Rural. Zoning the full site as Rural would remove the requirement for split zoning.

Overall, the application of Rural Zone at [REDACTED] would be consistent with the Section 8A guidelines, the STRLUS, and represent a coordinated approach to zoning which would support ongoing and future land uses at the site.

5 Conclusion

This submission provides an assessment of the proposed zoning at [REDACTED] and [REDACTED]. An assessment of the Rural Zone (RZ) as an alternative zone has been undertaken, based on the characteristics the sites and current and future uses. The analysis has found that application of the Rural Zone at all four sites is the most appropriate outcome. This recommendation is based on consideration of applicable strategic planning instruments including the Section 8A guidelines and the STRLUS.

Table 10 Recommended zoning application for the subject sites

Lot	Draft LPS zoning	Recommended zoning
Site 1 [REDACTED] CT [REDACTED]	Agriculture Zone	Rural Zone
Site 2 [REDACTED] CT [REDACTED]	Agriculture Zone	Rural Zone
Site 3 [REDACTED] CT [REDACTED]	Rural Zone	Rural Zone
Site 4 [REDACTED] CT [REDACTED]	Landscape Conservation Zone	Rural Zone

Appendix A Agricultural Report

Agricultural Report for [REDACTED] Kingston

Prepared by Luke Taylor

AgAssist

May 2026

AgAssist

DISCLAIMER: This report has been prepared in accordance with the scope of services described in the contract or agreement between AgAssist and the Client. Any findings, conclusions or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the Client or other parties which this report has been passed onto. Every effort has been made by AgAssist to correctly make recommendations based on laboratory test results, field surveys and information provided by the client. AgAssist does not take responsibility for any loss in potential yield or hold themselves responsible for any damage caused as a result of incorrect information or laboratory results. Furthermore, the report has been prepared solely for use by the Client and AgAssist accepts no responsibility for its use by other parties



Introduction

AgAssist has been engaged by Richard Maddock to undertake an agricultural assessment of the property located at [REDACTED] Kingston (Title Reference: [REDACTED] [REDACTED] and [REDACTED])

This assessment has been informed by a combination of desktop analysis and site inspection. The desktop analysis included a review of topography (slope and aspect), drainage characteristics and land capability mapping, while the site inspection assessed soils, landscape constraints and overall agricultural suitability of both the subject land and adjoining properties.

The report includes an assessment of land capability using the Tasmanian Land Capability Classification System, an evaluation of the agricultural potential of the property, and a specific assessment against the relevant provisions of the Tasmanian Planning Scheme relating to agricultural land use and potential land use conflict.

The assessment found that the majority of the land is constrained by slope, rock outcrop, waterlogging, limited water availability and low soil resilience, resulting in only limited potential for low-intensity agricultural use. The scale of productive land and available water is insufficient to support a viable commercial enterprise. In addition, the proximity to residential zones creates a high risk of land use conflict without adequate buffering.

Accordingly, the land is not considered suitable for inclusion in the Agriculture Zone, and it is recommended that PID 9025535 and PID 9364078 be zoned Rural, consistent with the land's capability and surrounding context.



Qualifications and Experience

Luke Taylor is the principal consultant with AgAssist and has had over 25 years' experience in the Agricultural sector. Luke has a Bachelor of Management in Agribusiness from Sydney University as well an Advanced Diploma in Farm Management from Melbourne University. For the past 12 years Luke has been consulting to the agricultural sector across Tasmania as well as some part time lecturing at the School of Land and Food at the University of Tasmania.

Property Details

LOCATION

The property, located at [REDACTED] [REDACTED] Kingston, is split into 3 titles ([REDACTED] [REDACTED] and [REDACTED]). The combined total of the 3 titles is just under 50Ha (see picture to the right).

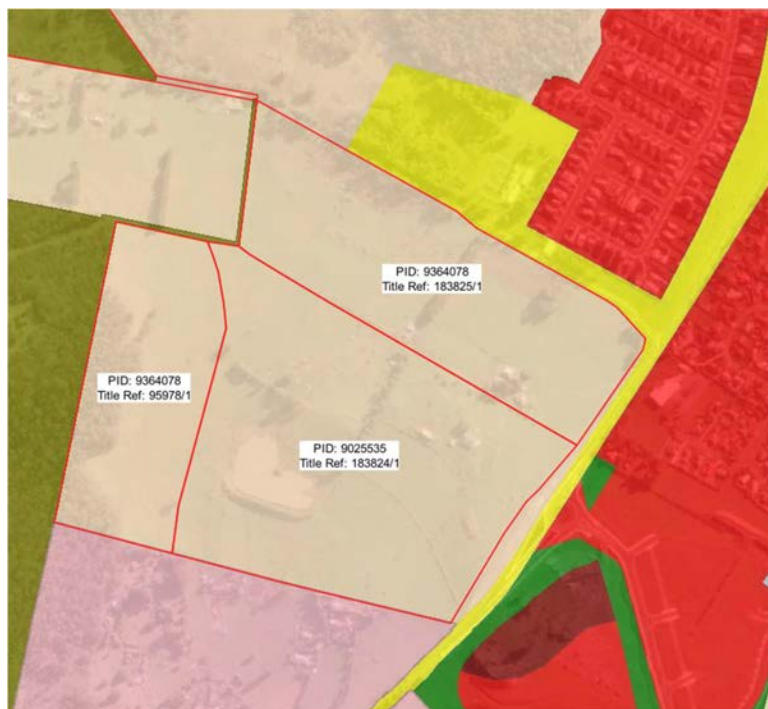
PLANNING SCHEME

The three titles are currently zoned rural resource under the Tasmanian Interim Planning Scheme (see picture below and map at the back of this report).



SURROUNDING PROPERTY DETAILS

The properties to the south are zoned rural living, the properties to the east and north east are zoned general residential, the property to the north west is zoned rural resources and the property to the west is zoned environmental living.



Registered Constraints and Protected Areas

The table below summarises the principal mapped statutory constraints and protected areas identified for the property that are relevant from an agricultural land use and management perspective. The information is based on available public datasets and is intended as a preliminary overview only. It may not include all planning constraints, overlays or approval requirements relevant to future development or land use. The applicability of these matters should be confirmed as part of the planning process and, where required, in consultation with the relevant planning authority or planning consultant.

Layer	Restriction/Description
Landslip Zones	Yes
Threatened Native Vegetation Communities	Yes – on PID [REDACTED]
Flood-Prone Land / 1% AEP Flood Mapping	Yes – See Map
CFEV Watercourse and Waterbody Buffers	Yes – See Map
Acid Sulfate Soils	None
Conservation Covenants or Reserves	None

Land Classification

Across Tasmanian agricultural zones, agricultural land capabilities have been classified using the Tasmanian Land Capability Classification System (Grose, 1999) which is a method of ranking the ability of the land to support a range of broadacre agricultural activities on a sustainable basis. The lands classification system comprises seven classes ranked in order of agricultural versatility. Class 1 land is the best and Class 7 the poorest. Classification requires the synthesis and land information including soils, topography and climatic data.

Below are the land class definitions that are referred to for this property and the adjoining property.

- Class 3: Land suitable for cropping, but with moderate limitations which restrict the range of crops, require special soil conservation practices, or reduce productivity. These limitations may include moderate slopes, soil structure or drainage constraints, or moderate erosion risk. The effects of these limitations can be reduced by careful management and the application of appropriate soil conservation measures.
- Class 4: Land suitable for occasional or limited cropping, but primarily suited to pasture and grazing due to significant limitations. These limitations may include steeper slopes, shallow or stony soils, poor drainage, or increased erosion risk. Cropping is restricted to infrequent use, such as fodder crops or pasture renewal. The effects of these limitations can be reduced by careful management and the application of appropriate soil conservation measures.
- Class 5: Land unsuitable for cropping, although some areas on easier slopes may be cultivated for pasture establishment or renewal and occasional fodder crops may be possible. The land may have slight to moderate limitations for pastoral use. The effects of limitations on the grazing potential may be reduced by applying appropriate soil conservation measures and land management practices.
- Class 6 which is: 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.



A full explanation of the Land Capability System is available in the *LAND CAPABILITY HANDBOOK - Guidelines for the Classification of Agricultural Land in Tasmania*, Second Edition, Edited by C J GROSE, Department of Primary Industries, Water and Environment, 1999.

The land classification for this property as per TheList is Class 3, 4 and 6 (see pic above and also the map at the back of this report).

Land Capability Classification Assessment

CLIMATE

The property is located within a cool temperate maritime climate, receiving an average annual rainfall of approximately 650–750 mm. Growing degree day (GDD) accumulation is estimated at approximately 1,200–1,400 (base 10°C). The area experiences mild winters with occasional frosts and warm, relatively dry summers, reflecting the moderating influence of the nearby coast.

GEOLOGY

The geology within the subject area is complex, comprising three primary units. The western portion of the site is underlain by Quaternary non-marine sediments, including sand, silt, clay and gravel, with areas of lower glaciomarine sequences characterised by mudstone and pebbly mudstone with minor limestone and oil shale. In contrast, the eastern portion of the site is underlain by basalt (tholeiitic to alkali) and associated pyroclastic rocks, contributing to localised variation in soil parent material and landscape characteristics.

SOILS

The soils on the eastern side of the property are dominated by basalt-derived Dermosols, which comprise red-brown, well-structured clay loams over moderate to well-structured red-brown clays. Within these Dermosols, there are likely to be localised areas of Ferrosols, characterised by iron-rich, well-structured red clay loams over red clays. These soils are generally non-acidic in both the topsoil and subsoil; however, Ferrosol topsoils may have a tendency to acidify over time. On ridge crests, the Dermosols and Ferrosols are often very shallow, with basalt bedrock protruding at or near the surface, rendering these areas non-arable.



In lower-lying areas, the soils transition to Vertosols, where topsoils become heavier (light clays) with evidence of surface cracking, and subsoils become less structured, resulting in imperfect drainage. These soils are typically non-acidic in both the topsoil and subsoil.

On the western side of the property, soils are derived from mudstone and are classified as Kurosols. These typically consist of grey clay loams over moderate to weakly structured grey clays and are generally characterised by low pH in both the topsoil and subsoil.



The cores in the picture to the right were taken from the locations in the picture to the left.

LAND CAPABILITY ASSESSMENT

The land is mapped as predominantly Class 3, 4 and 6 in TheList; however, detailed site assessment identifies additional areas of Class 5, 5r and 4w reflecting localised constraints.

The land capability assessment (see map on the following page well as in the back of this report) indicates that the western title (proposed to be zoned Rural) is predominantly constrained, with the majority of the land classified as Class 5 and Class 6, reflecting limited suitability for agricultural use due to steep slopes and soil limitations.

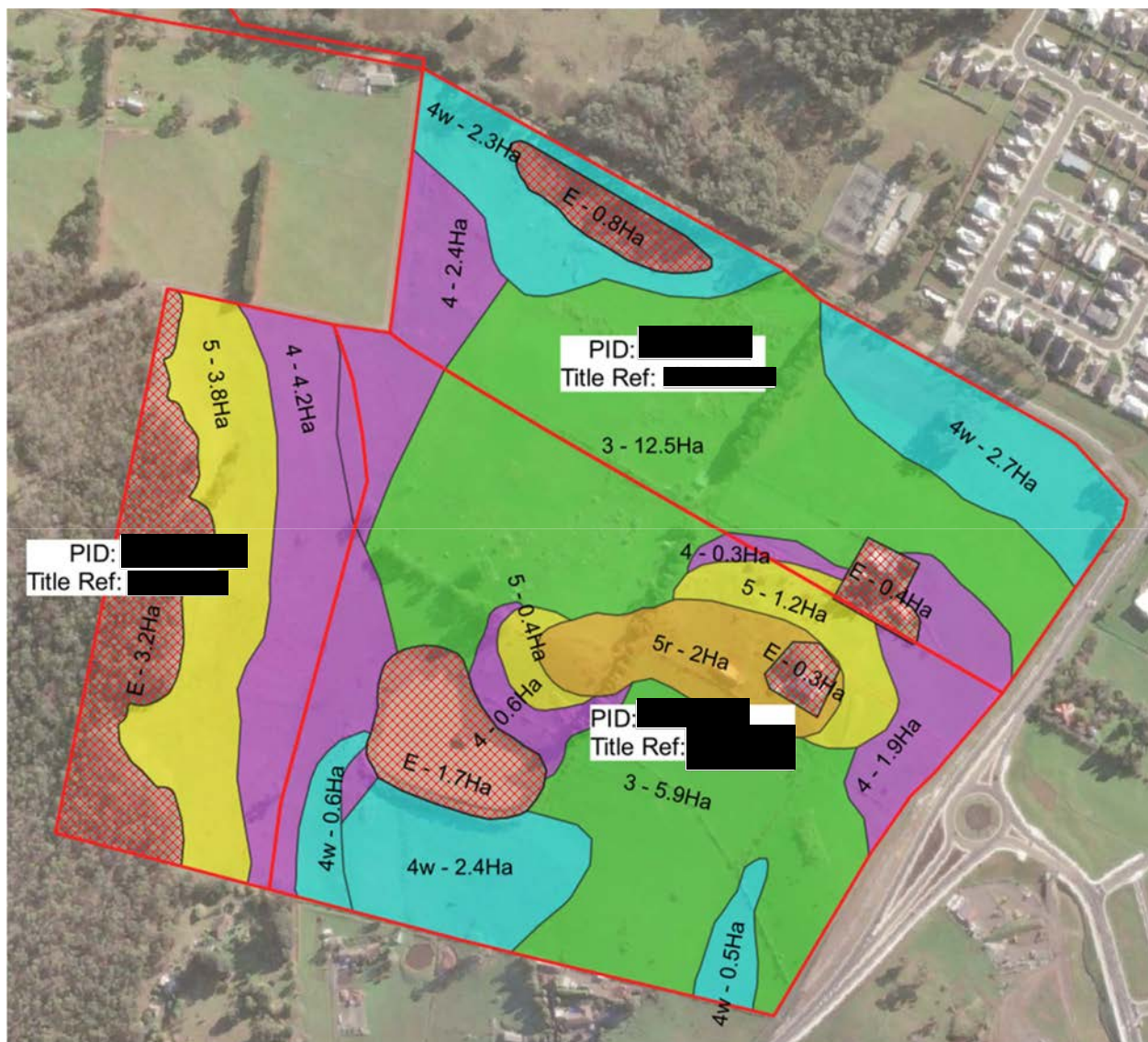
The remaining two titles (PID 9364078 and PID 9025535) contain fragmented areas of Class 3 and Class 4 land, where soils are more versatile and capable of supporting grazing and occasional cropping.

Outside of these areas, the land is subject to constraints including erosion risk, rocky outcrops (see photograph), soil degradation risk and seasonal waterlogging.



Land Classification	Area	Key Limitations	Agricultural Use	Comments
Class 3	18.4Ha	Slight risk of surface erosion of bare cultivated soils in large rainfall events.	Intensive grazing and cropping (1 in 4 years)	Potential stocking rates of 12 DSE/ha (dryland) of 25DSE/Ha irrigated.
Class 4	9.5Ha	Slope and fragile soils prone to degradation if over cultivated	Primarily suitable for grazing with occasional cropping (1 in 5 years).	Potential stocking rates of 12 DSE/ha (dryland)
Class 4w	8.5Ha	Seasonal Waterlogging	Primarily suitable for grazing with occasional cropping in the drier years.	Cultivation would be very difficult.
Class 5	5.4Ha	Excessive slopes (>20%) making it unsuitable for cropping.	Unsuitable for cropping with cultivation limited to pasture renovation.	Potential stocking rates of 12 DSE/ha (dryland)
Class 5r	2Ha	Non arable due to boulders and outcrops greater than 600mm.	Grazing only	Potential stocking rates of 8 DSE/ha (dryland)
E	6.4	Non Agricultural	Non Agricultural – Dams and house sites	

Assessed Land Capability



Agricultural Potential and Viability

The property contains a mix of soil types, including areas of basalt-derived Ferrosols and Dermosols, as well as mudstone-derived soils. The Ferrosols, in particular, are relatively well-structured and more resilient, and together with portions of the Dermosols provide areas that are suitable for grazing, including occasional cropping (e.g. 1 in 4 years) or perennial horticulture.

However, while these soils offer some inherent capability, their extent is limited and fragmented across the property. As such, the overall area of land suitable for higher-value agricultural use is insufficient to support a viable commercial enterprise.

A primary constraint to agricultural development is the very limited availability of irrigation water (see available water assessment on Page 11), with approximately 3.5 ML available annually. This significantly restricts the scale of any irrigated enterprise. Based on typical crop water requirements (see table to the right: Source DPIWPE), this volume of water would only support approximately:

- 1 ha of irrigated pasture or lucerne,
- 1.25 ha of grapevines, or
- 0.5 ha of cherries.

Approximate seasonal water requirements for annual crops.

Crop	Irrigation depth applied mm	Irrigation quantity ML/ha
Potatoes	300-400	3.5-4.5
Poppies	150-250	1.5-2.5
Peas	100-200	1.0-2.0
Green Beans	200	2
Pyrethrum	100-150	1-1.5
Buckwheat	150	1.5
Carrots	350	3.5
Onions	350-400	3.5-4.0
Broccoli	200-250	2-2.5
Squash	150-200	1.5-2.0
Lucerne	350-450	3.5-4.5
Pasture	350-600	3.5-6.0

These areas are well below the minimum thresholds generally required for commercially viable operations when assessed against Agricultural Land Mapping Project (ALMP) commissioned by the State Government in 2016. (See table below).

Cluster	Title Size	Access to Irrigation
ES1 – Irrigated Perennial Horticulture	10ha	Yes
ES2 – Vegetable Production	25ha	Yes
ES3 – Irrigated Grazing (Dairy)	40ha	Yes
ES4 – Broadacre – Cropping and Livestock	133ha	No
ES5 – Broadacre – Dryland Pastoral	333ha	No

Source: Enterprise clusters and minimum sizes (from ALMP 2016) - Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones, AK Consulting, 2018.

Consequently, even if irrigation infrastructure were developed, the scale of production would remain sub-commercial.

In addition, the property has not received meaningful fertiliser or lime inputs over an extended period (approximately 20 years), and soil fertility levels are expected to be low. While fertility could be improved through standard inputs, this would not overcome the fundamental limitations of scale and water availability.

Under a grazing scenario, and assuming pasture improvement through fertiliser application and re-sowing, the property may support a modest livestock enterprise. Indicatively, a stocking rate in the order of 12 DSE/ha across approximately 40 ha may be achievable, equating to around 480 DSE – equating to approximately 30 cow–calf units. While this represents a reasonable grazing capacity, it remains relatively small in a commercial context.

Further physical constraints also reduce the effective agricultural area. Approximately 2 ha of the property is non-arable due to significant surface rock and boulder outcrop (>600 mm), while some lower-lying areas are prone to seasonal waterlogging, limiting their productivity and management flexibility.

The mudstone-derived soils present an additional limitation, as they are prone to structural degradation under repeated cultivation. These soils are better suited to permanent pasture and require careful management to avoid decline in soil structure and productivity.

Overall, while the property contains pockets of soils with moderate agricultural capability, the combination of limited suitable area, restricted water availability, soil constraints, and sub-commercial scale significantly limits its agricultural potential. The land is best suited to low-intensity grazing with only minor, hobby farm scale opportunistic cropping or horticultural use, rather than any form of commercial-scale agricultural enterprise.

These limitations collectively demonstrate that the land is not capable of supporting a sustainable commercial agricultural use.

Assessment Against Tasmanian Planning Scheme

Having regard to the Rural Zone Purpose and Application Guidelines (RZ1–RZ3), the subject titles (PID 9025535 and PID 9364078) are more appropriately zoned Rural rather than Agriculture. As outlined in Section 20.1.1(a), the Rural Zone is intended to apply where agricultural use is limited or marginal due to topographical, environmental or other site constraints. This is consistent with the findings of this assessment, which demonstrate that the majority of the land is classified as Class 5 and Class 6, with significant limitations including steep slopes, rock outcrop, seasonal waterlogging, low soil resilience and limited irrigation water availability. While there are small areas of moderate capability soils, these are fragmented and insufficient in scale to support a viable commercial agricultural enterprise.

This aligns with the intent of the Rural Zone to apply to land where agricultural use is limited or marginal.”

In accordance with RZ1 and RZ3(a)–(b), it can be demonstrated that the land has limited potential for agricultural use and is subject to significant constraints that restrict its suitability for inclusion within the Agriculture Zone. The property is not integral to the operation of a larger agricultural holding and, given its limited scale and productivity, does not contribute meaningfully to the broader agricultural resource base.

Furthermore, the surrounding zoning context is a critical consideration. The subject land is located in close proximity to General Residential and Rural Living zones (see 200 meter buffer zones in the pic to the right from the General Residential and Rural Living zones). Rezoning to Agriculture would create a high likelihood of land use conflict, particularly in relation to noise, odour and agricultural spraying associated with more intensive grazing, cropping or horticultural operations. The ability to implement adequate buffers to manage these impacts is constrained by the size and configuration of the land, further limiting its suitability for agricultural intensification.



Accordingly, consistent with RZ2 and RZ3(e), the Rural Zone is the most appropriate zoning for the land, as it recognises the site’s limited agricultural capability, its physical and environmental constraints, and its interface with sensitive residential land uses. This zoning better reflects the land’s realistic use potential and ensures that future use and development is of a scale and intensity appropriate to its setting, without creating unreasonable conflict with surrounding uses.

SURFACE WATER AVAILABILITY ASSESSMENT

An assessment of potential surface water yield has been undertaken for two farm dams located within the Kingston area, based on their contributing catchment areas. The dams assessed include the Main Dam (18.2 ha catchment) and the [REDACTED] Dam (19.9 ha catchment). See Map

The Kingston district typically receives approximately 600–700 mm of annual rainfall. However, only a proportion of this rainfall contributes to runoff into farm dams. Based on Tasmanian conditions, a runoff coefficient of 10–20% has been adopted, reflecting variability in soil type, slope, vegetation cover and antecedent moisture conditions. A mid-range estimate of 15% runoff is considered representative for planning purposes.

Estimated annual water yields have been calculated using these assumptions and are summarised in the table below.

Estimated Annual Water Yield from Dam Catchments

Dam	Catchment		Below Average	Average Rainfall	Above Average
	Area	Runoff Co-efficient	Rainfall (500mm)	(650mm)	Rainfall (750mm)
	Ha	Percent	ML/year	ML/year	ML/year
Main Dam	18.2	15%	1.50	1.77	2.05
[REDACTED] Dam	16.9	15%	1.39	1.65	1.90
Total	35.1		2.90	3.42	3.95

The estimates indicate a combined average annual yield of approximately 3.42ML/year with a realistic range of 2.9 to 3.95ML per annum depending on seasonal conditions.

It is important to note that runoff in southern Tasmania is highly seasonal, with the majority of inflows occurring during winter and spring. Summer inflows are typically negligible, and water availability is therefore dependent on adequate winter rainfall and sufficient dam storage capacity to retain water for use during drier periods.

Given the relatively small catchment areas and reliance on direct rainfall runoff (rather than regulated or river-based allocations), water supply to both dams is considered to be of low reliability. This aligns with Surety 7 to Surety 8 classifications, which are characterised by water availability dependent on catchment flow conditions and rainfall events, often subject to flow or flood triggers.

Accordingly, while the dams provide a useful supplementary water source, they do not represent a high-reliability water supply and should be considered opportunistic in nature when assessing the agricultural capability and development potential of the land.

References

Making the most of your water - Natural Resources and Environment Tasmania -

<https://nre.tas.gov.au/Documents/Making%20the%20most%20of%20your%20water%20factsheet%202.pdf>

Water requirements of annual crops, Tasmanian Institute of Agriculture - <https://nre.tas.gov.au/Documents/Water-requirements%20of%20annual%20crops-factsheet.pdf>

Grose, C.J. (Ed.) 1999, *Land Capability Handbook: Guidelines for the Classification of Agricultural Land in Tasmania*, 2nd edn, Department of Primary Industries, Water and Environment, Tasmania, Australia.

TheList Land Classificationiion

Legend

Property Boundary

5 - Land unsuited to cropping and with slight to moderate limitations to pastoral use

4 - Land well suited to grazing but which is limited to occasional cropping or a very restricted range of crops

6 - Land marginally suited to grazing due to severe limitations

4+3 - At least 60% Land well suited to grazing but which is limited to occasional cropping or a very restricted range of crops, up to 40% Land suited to cropping and intensive grazing with moderate limitations to use

Published by Luke Taylor - AgAssist
30 Red Chapel Avenue
Sandy Bay, TAS, 7005
ltaylor@agassist.net.au
0409 963 201



Richard Maddock - Kingston

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GDA94 / MGA zone 55

Data Source: The List, Tas Networks, DPIPWE, ESRIS and Google.



Assessed Land Capability

Legend

Property Boundary

Assessed Land Capability

Class 3 - Suitable for cropping (1 in 5 years) and intensive grazing

Class 4 - Primary suitable for grazing with occasional cropping

Class 4w - limitations caused by seasonal waterlogging

Class 5 - Land suitable for grazing only

Class 5r - limitation cased by rocky outcrops

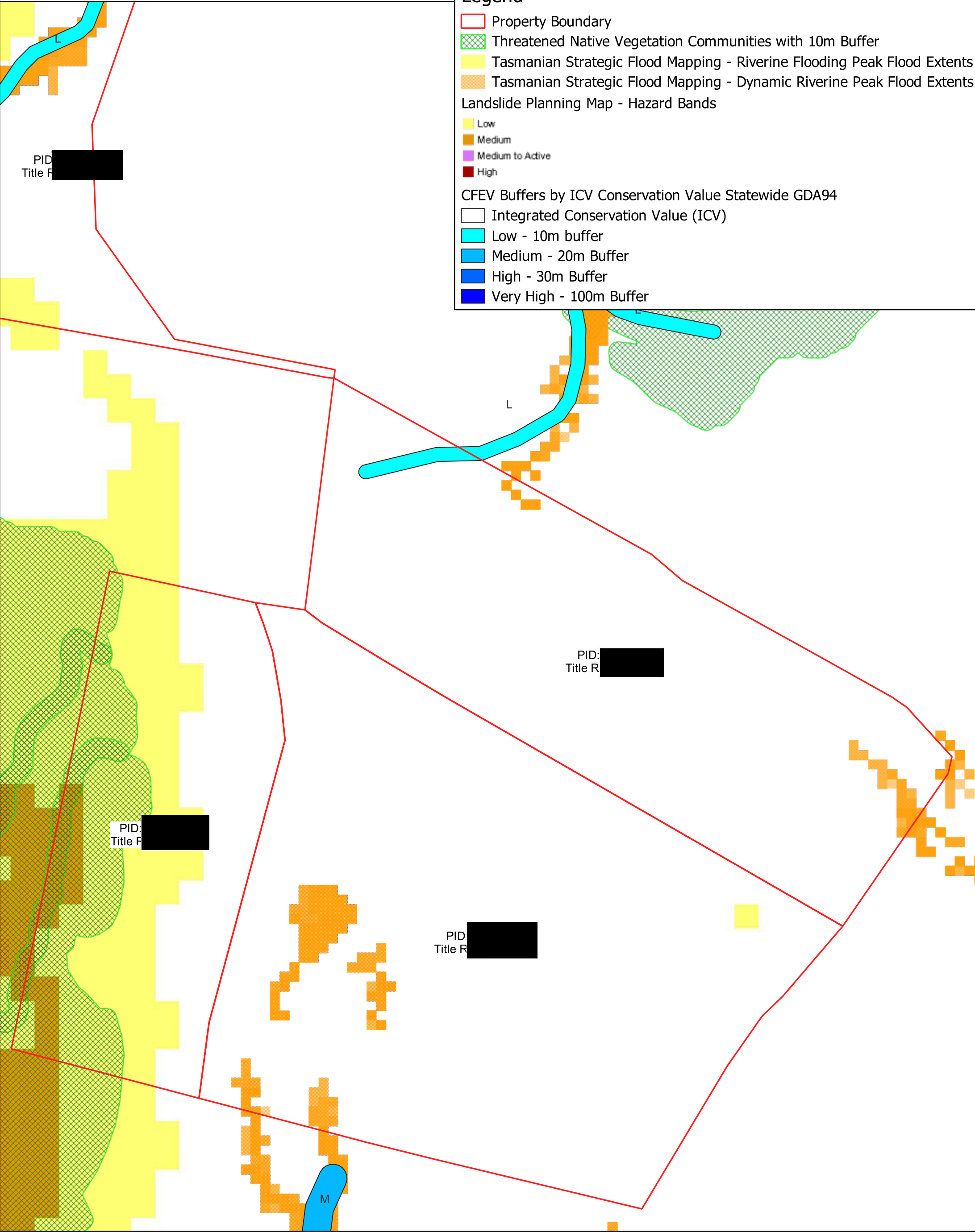
E - Exclusion areas not part of assesment



Registered Constraints and Protected Areas

Legend

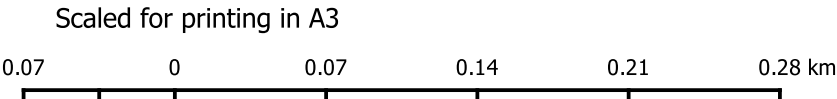
- Property Boundary
- Threatened Native Vegetation Communities with 10m Buffer
- Tasmanian Strategic Flood Mapping - Riverine Flooding Peak Flood Extents
- Tasmanian Strategic Flood Mapping - Dynamic Riverine Peak Flood Extents
- Landslide Planning Map - Hazard Bands
 - Low
 - Medium
 - Medium to Active
 - High
- CFEV Buffers by ICV Conservation Value Statewide GDA94
 - Integrated Conservation Value (ICV)
 - Low - 10m buffer
 - Medium - 20m Buffer
 - High - 30m Buffer
 - Very High - 100m Buffer



Published by Luke Taylor - AgAssist
30 Red Chapel Avenue
Sandy Bay, TAS, 7005
ltaylor@agassist.net.au
0409 963 201

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and Google.

Legend

Property Boundary

Tasmanian Interim Planning Zones

10.0 General Residential

11.0 Inner Residential

12.0 Low Density Residential

13.0 Rural Living

14.0 Environmental Living

15.0 Urban Mixed Use

16.0 Village

17.0 Community Purpose

18.0 Recreation

19.0 Open Space

20.0 Local Business

21.0 General Business

22.0 Central Business

23.0 Commercial

24.0 Light Industrial

25.0 General Industrial

26.0 Rural Resource

27.0 Significant Agricultural

28.0 Utilities

29.0 Environmental Management

30.0 Major Tourism

31.0 Port and Marine

32.0 -39.0 Particular Purpose

PID: [redacted]
Title R

PID: [redacted]
Title R

PID: [redacted]
Title R

PID: [redacted]
Title R

Soil Classification

Legend

Property Boundary

Soil Survey

Assessed Soil Classification

Dam

Dermosol/Ferrosol - Clay Loams

Dermosol - light clays

Dermosol - Rock Outcrops

Vertisols-Dermosols

Kurosols



Drainage Analysis

Legend

Property Boundary

Slope

Band 1 (Gray)

Slope (%)

0 - 1 - Flat

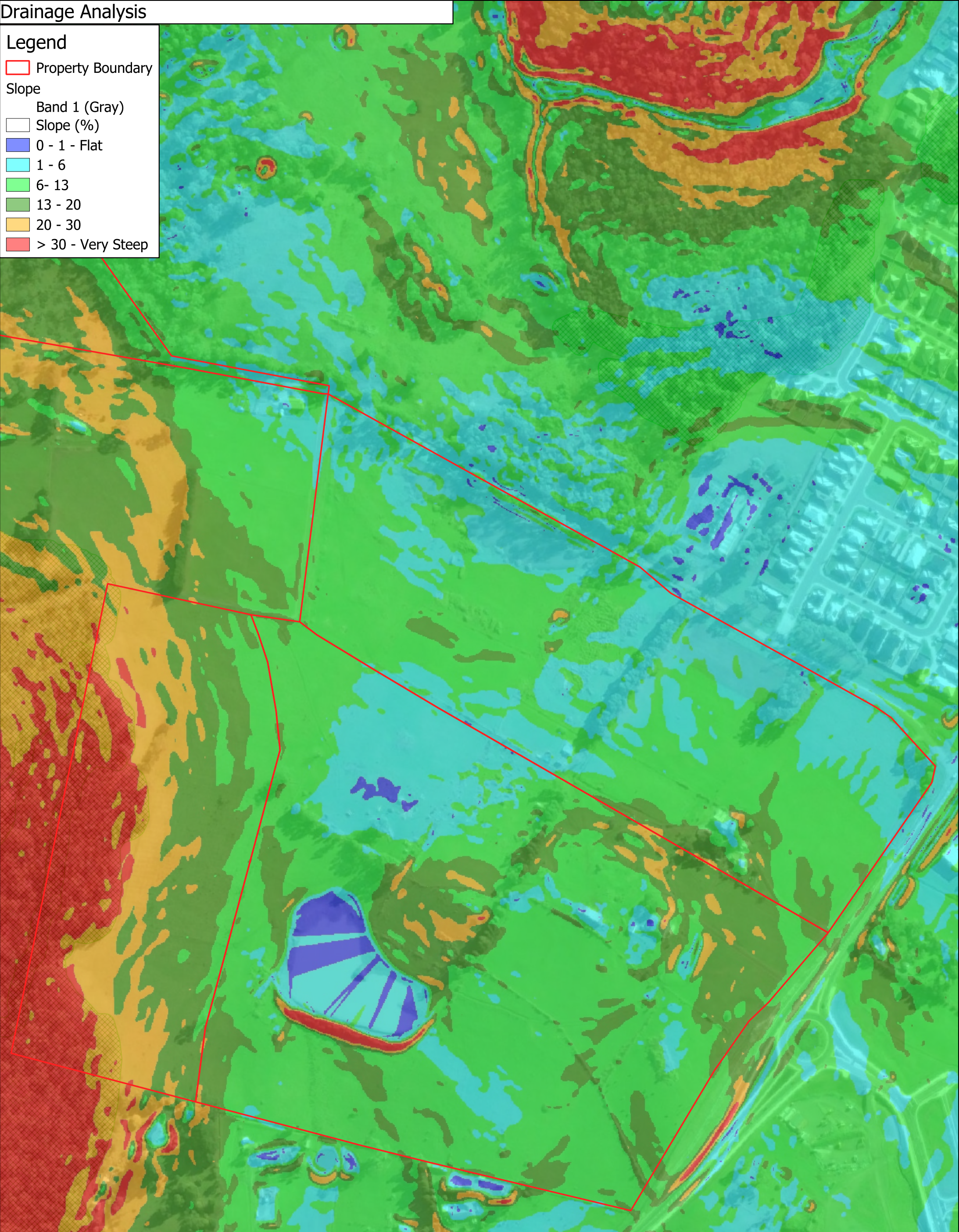
1 - 6

6- 13

13 - 20

20 - 30

> 30 - Very Steep



Drainage Analysis

Legend

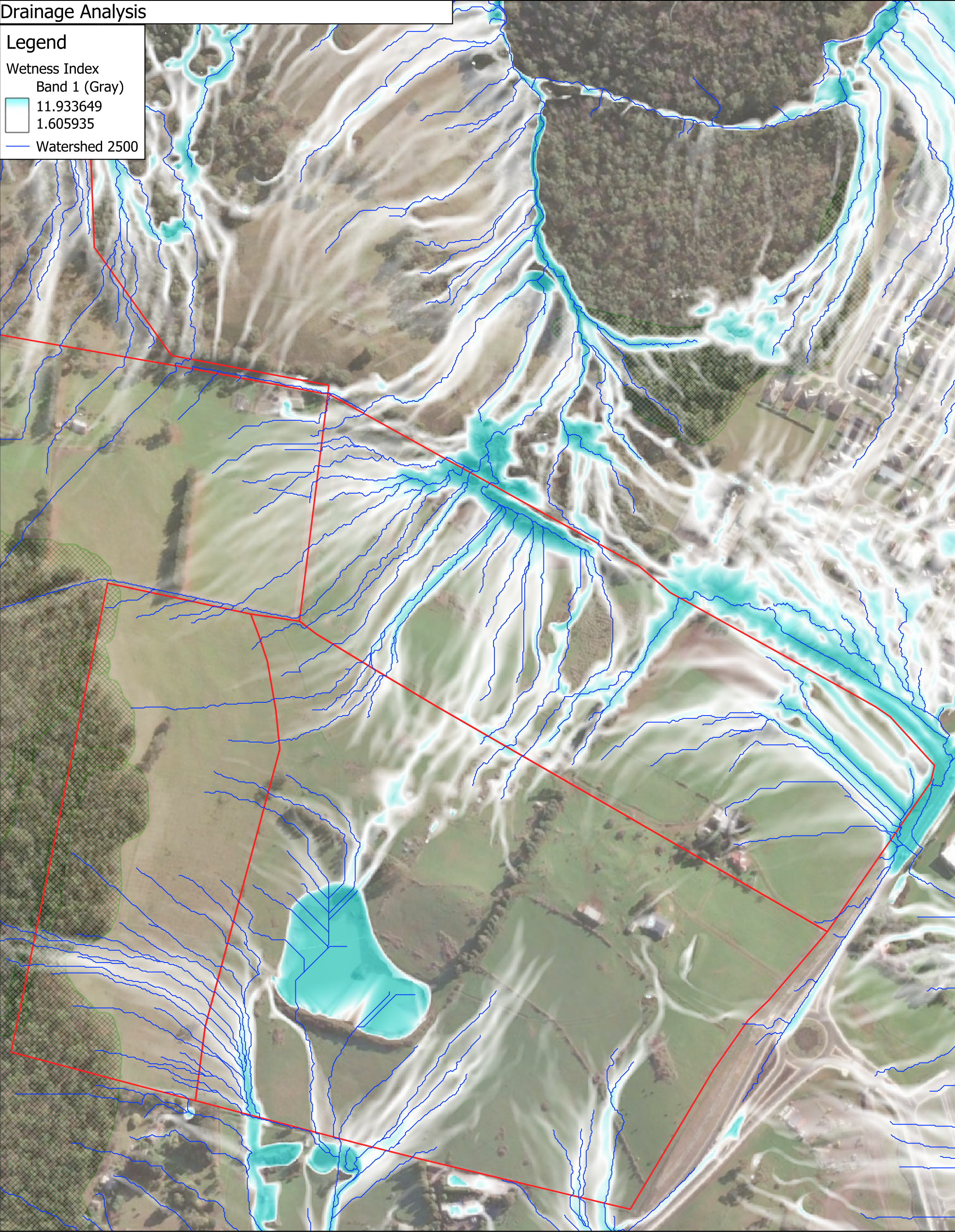
Wetness Index

Band 1 (Gray)

11.933649

1.605935

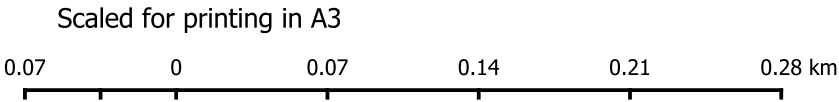
Watershed 2500



Published by Luke Taylor - AgAssist
30 Red Chapel Avenue
Sandy Bay, TAS, 7005
ltaylor@agassist.net.au
0409 963 201

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Data Source: The List, Tas
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and Google.

Dam Catchment Areas

Legend

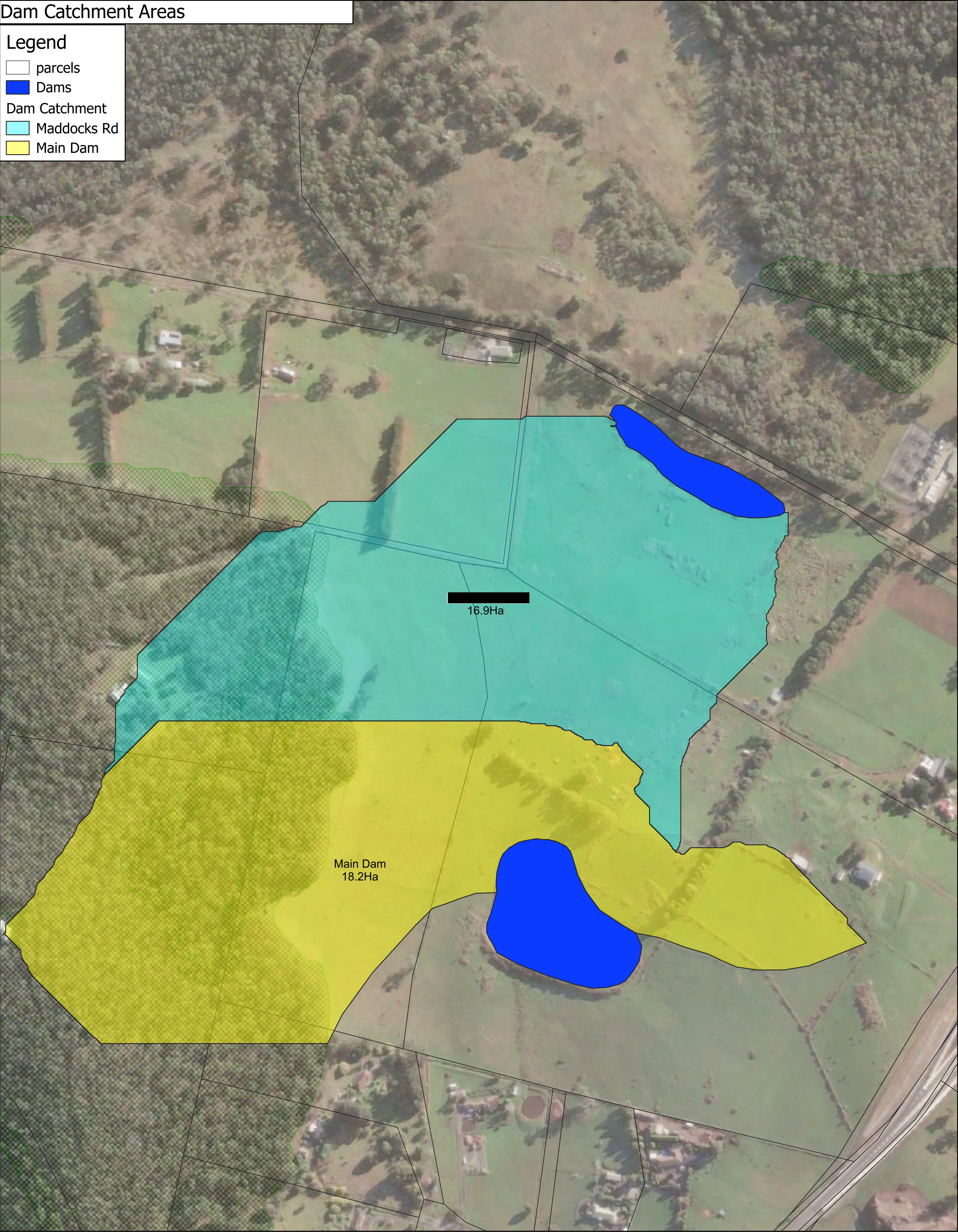
parcels

Dams

Dam Catchment

Maddocks Rd

Main Dam



Published by Luke Taylor - AgAssist
30 Red Chapel Avenue
Sandy Bay, TAS, 7005
ltaylor@agassist.net.au
0409 963 201



Richard Maddock - Kingston

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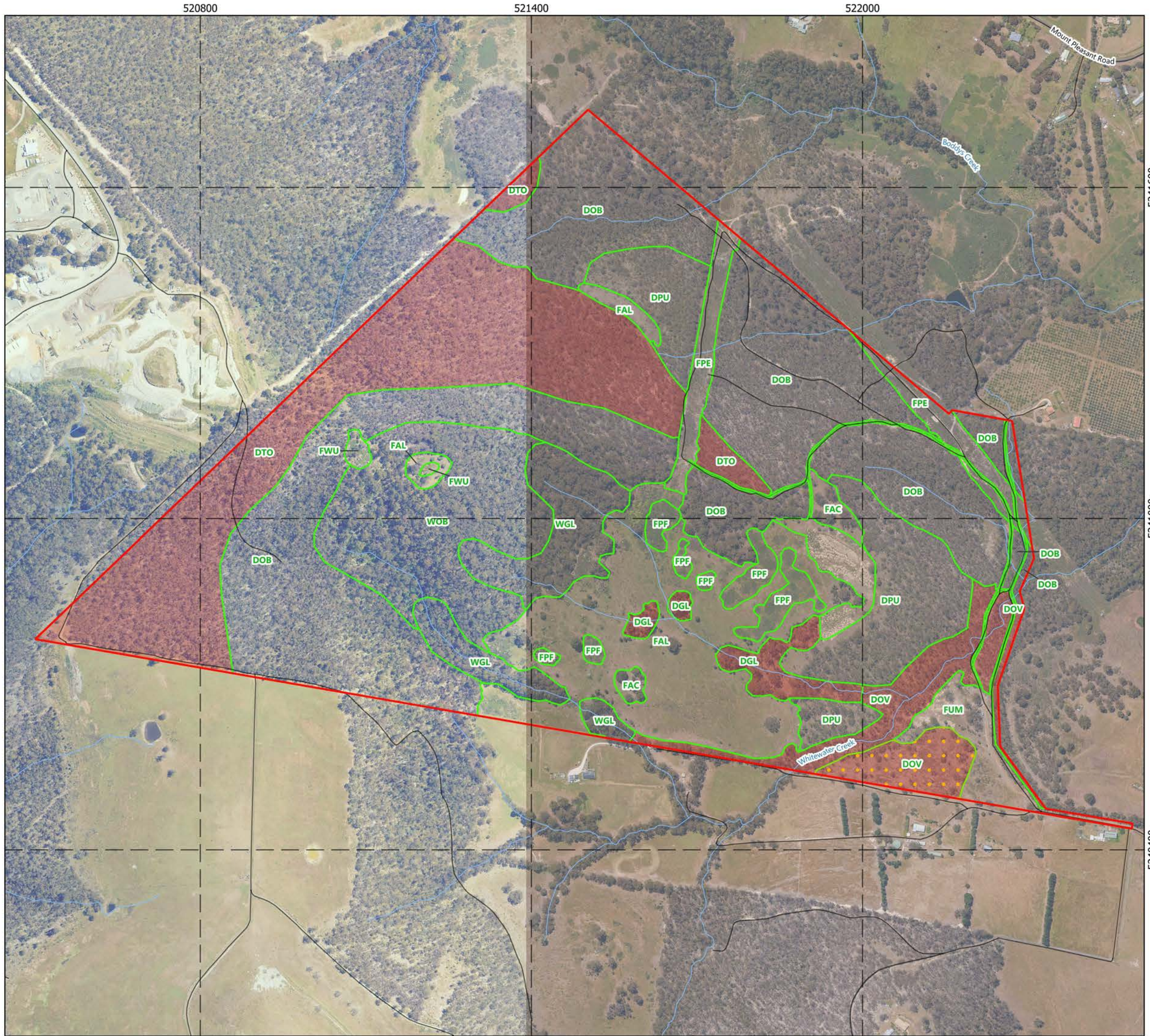


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Data Source: The List, Tas
Networks, DPIPWE, ESRIS
and Google.



Appendix B Vegetation communities (Site 4)



The mapping has been undertaken using a hand held GPS and subjective interpretation. Consequently it should be considered indicative only.

Project area

 Kingston

Threatened vegetation communities [Listing status – NCA/EPBCA]

* For those with an asterisk, only a subset of the respective TASVEG units will qualify under the respective Acts when condition criteria and/or key diagnostics are met.

-  (DGL) Eucalyptus globulus dry forest and woodland [t/-]
- (DTO) Eucalyptus tenuiramis forest and woodland on sediments [t/-]
- (DOV) Eucalyptus ovata forest and woodland [t/CR*]
-  (DOV) Regenerating

Other vegetation

-  (FAL) Agricultural land
- (DOB) Eucalyptus obliqua dry forest
- (DPU) Eucalyptus pulchella forest and woodland
- (FAC) Improved pasture with native tree canopy
- (FPE) Permanent easements
- (FPF) Pteridium esculentum fernland
- (FUM) Extra-urban miscellaneous
- (FWU) Weed infestation
- (WGL) Eucalyptus globulus wet forest
- (WOB) Eucalyptus obliqua forest with broad-leaf shrubs

Other layers

-  Roads
-  Rivers

State schedule	National schedule
NC Act 2002	EPBC Act 1999
t - threatened	CR - critically endangered
	EN - endangered
	VU - vulnerable

Original map scale: 1:6500
Original map size: A3
Base data and imagery from theLIST
(www.thelist.tas.gov.au) © State of Tasmania.
Grid: MGA Zone 55 Datum: GDA94, AHD



0 150 300 m

northbarker
ECOSYSTEM SERVICES

MAD001 01/05/2026 E. Hong
Reviewed by R. Khatri

ERA Advisory
Level 1, 125A Elizabeth St
Hobart 7000

(03) 6165 0443
enquiries@era-advisory.com.au
era-advisory.com.au

era