From:	Lee Peterson
To:	Sorell Council
Cc:	"cmbignell"
Subject:	Sorell Draft Local Provisions Schedule Representation - JM Bignell Pty Ltd
Date:	Friday, 13 August 2021 1:20:00 PM
Attachments:	image001.png Draft LPS Representation JM Bignell Pty Ltd.pdf

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On behalf of Charles Bignell, JM Bignell Pty Ltd, please see attached representation in regard to the Sorell Draft Local Provisions Schedule.

Regards

Lee Peterson B.Agri.Sci (Hons) PhD

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To the Sorell Council,

13th August, 2021

PO Box 126
SORELL TAS 7172

Re Sorell Council Draft Local Provisions Schedule – Proposed Agricultural Zone PID 7873947

During my absence from Tasmania I wish to advise that Dr Lee Peterson from Nicholbrook Horticultural Consulting is submitting a representation regarding the proposed zoning changes of the properties owned by JM Bignell Pty Ltd under the Sorell Council Draft Local Provisions Schedule (LPS) on behalf of J.M. Bignell Pty Ltd. The draft LPS is proposing that a number of titles be rezoned from Rural Resource to Agricultural.

This proposed zoning has significant inconsistencies with the land's agricultural capability and resources, with our strategic planning for continued viability, it also doesn't take into consideration the current alternative existing uses on this and other surrounding properties.

The attached professional and scientific report by Dr Peterson gives a recent and detailed analysis and mapping of the farm's agricultural capabilities and constraints at an individual title scale.

This report presents analysed evidence that the proposed Agricultural zoning of our property, is inconsistent with the guidelines set out by the Tasmanian Planning Commission. The attached report presents detailed assessment which supports a review of the proposed LPS zone outcomes of property owned by J.M. Bignell Pty Ltd.

We hope the council will consider this report and we look forward to liaising with council's recommendation to the commission after full consideration of the region's council endorsed, land use capabilities and potentials.

Yours Sincerely

Charles Bignell

Director

J.M. Bignell Pty Ltd

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Agricultural Report

JM Bignell Pty Ltd, Copping/Bream creek

August 2021

Nicholbrook
Horticultural Consulting

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Document status:

Date	Status	Issue Number	Reviewed by	Transmission method
10/8/21	Draft	1	L Peterson	Email
13/8/21	Final	2	L Peterson	Email

Contents

Executive Summary

This report examines the land capability and classification of property in the Copping/Bream Creek region owned by JM Bignell Pty Ltd in respect to the proposed rezoning of the property from Rural Resource under the Tasmanian Interim Planning Scheme 2015, Sorell to zoning of Agriculture under the proposed statewide Tasmanian Planning Scheme, Local Provisions Schedule (LPS) Sorell.

The property PID 7873947 consists of 11 titles reference, 53774/4, 37042/2, 37042/4, 235982/1, 238854/1, 155706/2, 53774/1, 53774/2, 37042/3, 100903/1, 37042/1. There is also a very small parcel of land title reference 35548/1 that requires adjustment and is too small to assess.

The land capability and soils assessment reviewed the landforms across titles and has demonstrated that some titles have been correctly assessed as Agriculture under the proposed LPS but some titles that comprise the JM Bignell property at Copping/Bream Creek have constraints for agricultural use.

Based on the Constraints Analysis Criteria Assessment ("Agricultural Land Mapping Project" 2017), some titles have been correctly assessed as Agricultural Zone but others have been incorrectly assessed and these do not meet the requirements to be zoned Agriculture under the proposed LPS. Consideration should be made for reviewing the methodology applied to these titles.

This is predominantly due to, but restricted to, the assessment criteria has deemed the entire Copping/Bream Creek region to have irrigation potential, a key factor in undertaking the criteria analysis to determine suitability for Agriculture Zone. The property has access to a private irrigation scheme from a network of dams, but this is at full capacity utilisation and has no potential to irrigate additional land. Other factors utilised in determining Agricultural Land such as the Enterprise Analysis data is inaccurate and misleading.

Introduction

This report, by Dr Lee Peterson, Principal Consultant, Nicholbrook Pty Ltd, has been prepared to provide an expert agricultural assessment of the property owned by JM Bignell Pty Ltd.

This report reviews the current agricultural usage of the land titles and the surrounding region in relation to the Land Capability and Land Classification. This includes soils, aspect, topography, water resource, and impact in relation to agricultural activities.

Qualifications and Experience

Dr Lee Peterson is an agricultural science graduate from the University of Tasmania with 35 years of experience in primary industry production, research and consulting. Dr Peterson has worked with a variety of farming enterprises throughout Tasmania and other mainland states. A detailed outline of experience and qualifications is attached.

Location

JM Bignell Pty Ltd currently owns the property PID 7873947 consists of 11 titles reference, 53774/4, 37042/2, 37042/4, 235982/1, 238854/1, 155706/2, 53774/1, 53774/2, 37042/3, 100903/1, 37042/1at 51 Copping/Bream Creek Road Copping/Bream Creek. This property borders the village of Copping to the south and many residences, grazing land to the north and east and land propose Rural Zone to the west. Total property area is 148.8 hectares, titles range in size from 0.66 hectares to 32.4 hectares.

The property transverse the midslopes of the southern region of Ragged Tier ranging from 80 metres elevation to 290 metres.

There is also a very small parcel of land title reference 35548/1 that requires adjustment and is too small to assess.

Land Classification

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 the best land and Class 7 land is the poorest. A wide range of limitations are considered, and the most significant limitation determines its final classification, or ranking. Limitations in relation to soils include stoniness, topsoil depth, drainage and erosion hazard. Limitations to topography include slope and associated erosion hazard. Limitations relating to climate include low rainfall and frost.

A full explanation of the Land Capability System is available in the *DPIPWE Tasmanian Land Capability Handbook*.

The classification system assumes an average standard of land management and that production will be sustainable if the land is managed according to the

guidelines of its Class. The system does not take into account the economics of production, distance from markets, social or political factors, all of which can change over time.

Class 3 land is described as follows:

> Land suitable for cropping and intensive grazing. Moderate levels of limitation restrict the choice of crops or reduce productivity in relation to Class 1 or Class 2 land. Soil conservation practices and sound management are needed to overcome the moderate limitations to cropping use.
>
> Land is moderately productive, requiring a higher level of inputs than Classes 1 and 2. Limitations either restrict the range of crops that can be grown or the risk of damage to the soil resource is such that cropping should be confined to three to five years out of ten in a rotation with pasture or equivalent during normal years.

Class 4 land is described as follows:

> 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 minimize 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.

Class 5 land is described as follows:

> Land with slight to moderate limitations to pastoral use but which is 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 effects of limitations on the grazing potential may be reduced by applying appropriate soil conservation measures and land management practices.

Class 6 land is described as follows:

> 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.

A detailed, site specific assessment of land classification of the property was undertaken by the author on during the week of the 19th of July 2021.

The attached maps illustrate the extent of each land capability class within the property.

Table1 provides a detailed description of each land capability class of as a sum of each title.

Table 1: Land Capability Summary – Copping/Bream Creek property PID 7873947

Land Capability Class[1]	Area (ha)	Limitation	Soil Description	Cropping Suitability Rating [2]	Land Use Types [3]	Cropping Frequency [4]
4+3	9.5	Areas trending between Classes 3 and 4, soil structure	Podzols on Sandstone (3-5%)	Medium	IP, DP ISD/DS	Annual 3 to 4 in 10 years
4s	53.2	Soil structure	Podzols on Sandstone Moderate sloping land (5-15%).	Low to Moderate	H(limited), IP, DP ISD/DS	Annual 1 to 2 in 10 years
4x	5.5	Topography, complex	Podzols on Sandstone 5->30%)	Not suitable	DP	Annual
5w	6.6	Low lying, prone to wet areas	Podzols on Sandstone low slope, imperfectly drained <10%	Not suitable	DP	Annual
5x	32.6	Topography, complex	Podzols on Dolerite moderate slopes, Ferrosols on Basalt on high slopes (10->30%).	Not suitable	DP	Annual
6	18	Native vegetation, high slopes > 30%	Podzols on Sandstone 5->30%)	Not suitable	DP	Annual

[1] *Land Capability Class*

Land capability 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 the best land and Class 7 land is the poorest. A wide range of limitations are considered and the most significant limitation determines its final classification, or ranking. The classification system assumes an average standard of land management and that production will be sustainable if the land is managed according to the guidelines of its Class. The system does not take into account the economics of production, distance from markets, social or political factors, all of which can change over time.

Cropping Suitability Rating

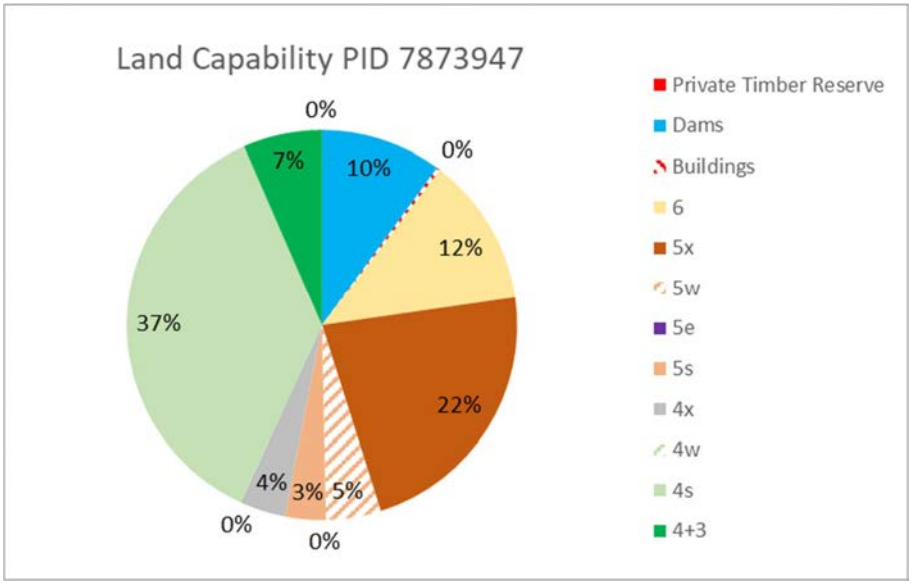
- *High - Soils with no or only slight limitations to use. Can support a wide range of intensive cropping and grazing activities. Cropping can occur almost continuously with only occasional pasture breaks.*
- *Moderate - Soils with moderate limitations to use. Conservation practices and sound management are needed to overcome limitations. Regular short-term pasture breaks are also required.*
- *Low - Soils suited to occasional cropping through severe limitations. Major conservation treatments and/or careful management required to minimise degradation.*
- *Very low - Very limited cropping with long pasture breaks (greater than 8 years).*
- *Unsuitable - No cropping should be undertaken.*

[3] *Land Use Types*

- *DP (Dryland pasture)*
- *IP (Irrigated pasture)*
- *DS (Dryland surface cropping; i.e. cereals and poppies)*
- *ISD (Irrigated surface cropping – dry harvest; i.e. cereals, poppies, carrot seed and grass seed)*
- *ISW (Irrigated surface cropping – wet harvest; i.e. peas, beans and broccoli)*
- *IRC (Irrigated root cropping; i.e. potatoes and carrots)*
- *H (Horticulture; i.e. grapes, olives and fruit)*
- *F (Forestry)*

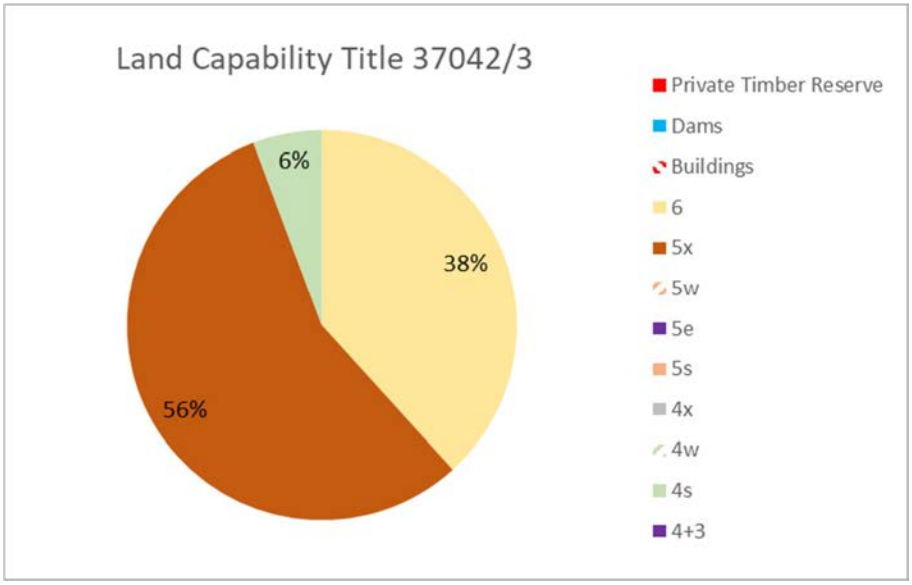
[4] *Cropping Frequency is given as an approximate range only. It assumes that best practices are being implemented in relation to soil management, sustainable crop rotations undertaken, and that seasonal and long term climatic conditions are favourable for cropping activities. Best practice soil management includes cultivation at an appropriate soil moisture level so as to maintain soil structure, management of cropping residues to assist in maintaining soil structure, and implementation of the most appropriate cultivation techniques. The lower range pertains to a more intensive cropping rotation (i.e. typically including irrigated root cropping) and/or less favourable seasonal/growing conditions. The upper range pertains to non-intensive cropping rotations (i.e. cereals and poppies) and/or more favourable seasonal/growing conditions (see Appendix 1). Cropping frequency does not include irrigated pasture which can be irrigated annually.*

Charts of assessments of the properties are presented below:

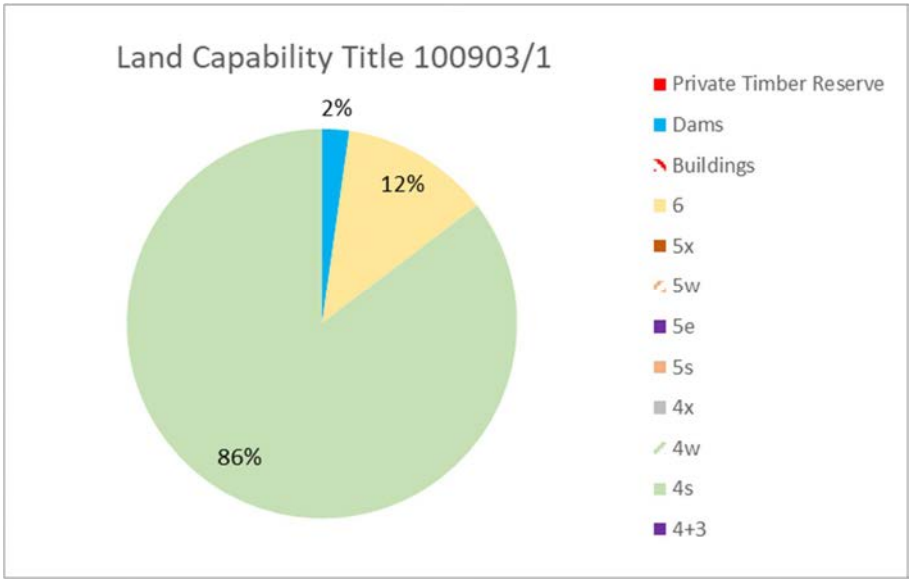


Overall the Copping/Bream Creek property is on the midslopes on the southern side of the Ragged Tier and is relatively evenly split between Class 3 and 4 with Class 5 and 6.

However, the land classification of the hillslope titles is significantly different to the low slopes and requires detailed review of the individual titles.



For example, a hillside title 37042/3 of 32.4 hectares which has complex topography and moderate to high slopes that are not croppable or irrigable due to the high slopes and elevations is predominantly Class 5 and 6. This title is also adjacent to 2 titles that have private timber reserves.



In contrast a title100903/1 of 77.2 hectares on the low slopes with irrigation has 86% Class 4 land and is presently well utilised as irrigated pasture for dairy, however both these landforms have been designated Agriculture Zone.

The high slopes and elevations are incorrectly identified in the Enterprise Suitability – Sparkling Wine Grapes on TheList as "Well Suited" and identified as potential irrigation, these factors erroneously triggering suitable for Agriculture Zone.

The low slopes currently irrigated have been correctly assessed as Agriculture Zone.

Soils

The Copping/Bream Creek properties resides on the southern side of the Ragged Tier, a Basalt outcrop that lays over Dolerite so that the soils transition as they progress south to podzols on Sandstone. The Ferrosols derived from Basalt are general very fertile but theses are on high slopes and not significant proportion of the property area. These are unsuitable for cropping and are prone to mass movement as observed in the region. The Podzols on Dolerite are less fertile, imperfectly drained texture contrast soils developed on Jurassic dolerite bedrock and colluvium on rolling to steep slopes. These soils regularly have rocky outcrops on the steep slopes and hilltops. The podzols on Sandstone are generally low fertility but croppable where well drained provided appropriate soil management techniques utilised.

Climate

The climate of the region is described by Musk and Derose (2000) as temperate climate moderated by the proximity to sea. As a result frost risk is assessed as low. Nearest temperature data is available for Dunnalley, station number 94254, which is some 10 kms away. The lowest temperature recorded is 0.7 degrees in the month of July.

According to the rainfall information supplied by the Bureau of Meteorology, the weather station (Number 92005) at Bream Creek has recorded a mean annual

rainfall of 762 mm. The highest annual rainfall recorded is 1195mm and the lowest recorded is 394mm demonstrating that the rainfall in this region is highly variable.

The Copping/Bream Creek property proximity to the Tasman Sea and elevation rise makes it highly exposed to winds which significantly limits opportunity for cropping or horticulture on the mid to high slopes. Viticulture is undertaken on nearby properties, but they are at lower elevations in gullies with tree protection, none has been attempted on the mid slopes let alone the high elevations.

Water Resources

The Copping/Bream Creek properties have a number of livestock waterholes and one large irrigation dam with a capacity of 370 ML. This is utilized for irrigation of pasture on the property and also adjacent properties managed as part of a group of entities.

There are centre pivot irrigators currently utilizing the water resource, but there are no further permits allowed for dams for surface water collection. All water currently utilized is allocated.

Tasmanian Irrigation have no long-term plans for irrigation feasibility in the region as the additional area potentially available for irrigation is small and supply and distribution will be expensive, therefore not meeting the business case requirements. In addition, the closest resource is the Carlton River which is ephemeral in nature and has poor water quality due to the catchment geology that is unsuitable for sustainable production of horticultural crops. Extension of the South East Irrigation Scheme to this region would be cost prohibitive and therefore not meeting the business case requirements.

Current Land Use

Current land use is grazing for dairy production. This includes areas of irrigation improvements where topography and soils are suitable.

Tasmanian Planning Scheme Assessment

The following are assessments in relation to the Zone Application Guidelines of the proposed Tasmanian Planning Scheme – Agriculture. A number of titles comply, especially those with irrigation, with the proposed zoning Agriculture. But there are titles such as those with private timber reserves and small areas adjacent to residences that do not. Typically these titles can be assessed as follows:

AZ1	The property is identified in the 'Land Potentially Suitable for Agriculture Zone" but titles do not comply with the criteria assessment (see later section)
AZ2	Not applicable – The property is not within the Significant Agriculture Zone in the interim planning scheme
AZ3	Titles have not been correctly assessed in relation to Potentially Constrained Criteria.
AZ4	The 'Potential Agricultural Land Initial Analysis' layer encompasses the property title but has been incorrectly assessed as indicated above
AZ5	The titles are not appropriate for split zoning
AZ6	Some titles may be considered for alternate zoning, in this case Rural, as not integral to management of a larger farm holding and there are significant constraints to agricultural use that have been incorrectly assessed.
AZ7	Not applicable as land currently assessed as "Land Potentially Suitable for Agriculture Zone'

Constraints Analysis

Land within the region has been initially assessed for zoning Agriculture based on a range of criteria under the "Agricultural Land Mapping Project" 2017 (ALMP) and then further assessed for the Southern Group of Councils.

Below is a summary of the criteria assessment for the titles reported here:

Entity	volume	folio	pid	Ha	ES1 - 10ha	ES2 - 25ha	ES3 - 40ha	ES4 - 133ha	ES5 - 333ha	Comment	Constraint
JM Bignell Pty Ltd	53774	4	7873947	14.345	Yes	No	No	No	No	Meets criteria	Unconstrained
JM Bignell Pty Ltd	37042	2	7873947	0.660	No	No	No	No	No	Too small to assess	Requires adjustment
JM Bignell Pty Ltd	37042	4	7873947	3.818	No	No	No	No	No	meets ES3 if amalgamated but area not directly available adjacent, landlocked	Requires adjustment
JM Bignell Pty Ltd	235982	1	7873947	4.941	No	No	No	No	No	Doesn't meet criteria but part of dam	Constrained
JM Bignell Pty Ltd	238854	1	7873947	5.877	No	No	No	No	No	Doesn't meet criteria but part of dam	Constrained
JM Bignell Pty Ltd	155706	2	7873947	18.920	Yes	No	No	No	No	Meets criteria	Unconstrained
JM Bignell Pty Ltd	53774	1	7873947	32.424	Yes	No	No	No	No	Meets criteria	Unconstrained
JM Bignell Pty Ltd	53774	2	7873947	2.044	No	No	No	No	No	Criteria not met greater than 50K/ha	Constrained 2A
JM Bignell Pty Ltd	37042	3	7873947	17.510	No	No	No	No	No	Doesn't meet criteria, landlocked	Requires adjustment
JM Bignell Pty Ltd	100903	1	7873947	30.629	No	No	No	No	No	meets ES3 if amalgamated but area not directly available adjacent	Potentially constrained

Entity	volume	folio	pid	Ha	ES1 - 10ha	ES2 - 25ha	ES3 - 40ha	ES4 - 133ha	ES5 - 333ha	Comment	Constraint
JM Bignell Pty Ltd	37042	1	7873947	17.650	No	No	No	No	No	meets ES3 if amalgamated but area not directly available adjacent	Unconstrained
JM Bignell Pty Ltd	35548	2		0.020	No	No	No	No	No	Too small to assess	Requires adjustment

Note: Criteria ES1, ES2 and ES3 all require irrigation. Under the initial ALMP the region was deemed to have irrigation potential, these properties have access to a private scheme which has limited capacity, this has been taken into account. In addition, the Enterprise Suitability Analysis data utilised, especially areas suitable for viticulture are inaccurate and not reflected in the on-site survey.

Recommendation

Based on reviewing the land capability at a title specific level and applying the Constraints Analysis Criteria Assessment to individual titles, some titles that have been correctly assessed as Agriculture under the proposed LPS however there are titles which have been incorrectly assessed and do not meet the requirements to be zoned Agriculture under the proposed LPS.

Consideration should be made for reviewing the methodology applied to these titles at a title specific level.

References

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

Musk R.A. and DeRose R.C. (2000) Land Capability Survey of Tasmania. Derwent Report, Land Capability Study, DPIWE, Tasmania

Agricultural Land Mapping Project - Identifying land suitable for inclusion within the Tasmanian Planning Scheme's Agriculture Zone (2017), Department of Justice, Planning Policy Unit

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.

Dr Lee Peterson B. Agri. Sci (Hons), ISHS, MAICD, CPag
Principal Consultant
Nicholbrook Horticultural Consulting
August 2021

Lee Peterson

Principal Consultant

Qualifications:

B Ag Sc (Hons) University of Tasmania

PhD (Ag Science) Horticultural Research Group University of Tasmania

Professional Associations:

Certified Practicing Agriculturalist (CPAg)

Company Directors Graduate Diploma 2007

Member of the International Society of Horticultural Science

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Introduction

Dr Lee Peterson is an agricultural professional with extensive expertise in many aspects of agricultural production gained over a period of 35 years in industry, consulting and research. Lee has considerable experience in the areas of new crop development, horticultural production systems, plant extracts and waste stream management in agricultural.

Professional Experience

2020-present	Director Nicholbrook Horticultural Consulting
2018-2020:	National Technical Manager BerryWorld
2011–2018:	Principal Consultant Macquarie Franklin
2005-2011:	Executive Director – Agribusiness Agricultural Resource Management (AGRM Pty Ltd)
2000- 2004:	Agricultural Resource Management Group
1998- 1999:	Serve-Ag Senior Project Agronomist
1996-1997:	Private agricultural consultancy and contract research provider
1993- 1995:	General Manager of Essential Oils of Tasmania
1989- 1993:	Production Manager of Essential Oils of Tasmania
1985- 1989:	Post-Graduate at the University of Tasmania
1984- 1985:	Agricultural Officer with the Tasmanian Department of Agriculture, Pasture and Field Crops Branch

Recent Projects

- Technical advisor to Houston's Farm roles include production system development, variety assessment, market research, crop scheduling, pesticide strategies, IPM program and representation of the company in respect to technical issues such as biosecurity and IPM
- Tasmanian contractor for the CSIRO land use and management information system estimating changes in soil carbon from changes in land use, an Australian Greenhouse Organisation project
- Project manager for the agricultural component of 8 wastewater reuse developments including Tasmania's two largest schemes, Brighton and Clarence.

- Agricultural advisor to United Utilities bid to develop effluent reuse for Ballarat North waste water treatment plant.
- Independent advisor and author to the "Environmental Guidelines for Recycled Water Use in Tasmania, 2002".
- Development of annual soil monitoring programs for Clarence, Brighton and Collinsvale reuse schemes.
- Project Manager for the land capability assessment for the Meander Dam Development Proposal
- Agricultural potential study for the Jordan Dam Feasibility Study
- Review of the Australian Lavender industry for RIRDC
- Project manager for Rekuna Pty Ltd, a Panax ginseng production company supported by an AusIndustry Commercial Ready Grant
- Climatic and resource suitability assessment for salad vegetable production on Australia's east coast, including risk assessment
- Technical advisor to Raspberry Fresh, out of season glasshouse raspberry production company
- Study tour and technical review of latest developments in hydroponic production of salad vegetables, Canada, Belgium, Holland and Italy
- Project manager for field services operation establishment for Tasmanian Poppy Enterprises
- Technical advisor to South Pacific Oils, essential oil production and extraction company, Vanuatu – Sandalwood production and research
- Technical resource to Southern Water for the coordinate and manage Tasmania's largest agricultural recycled water irrigation scheme, the Clarence Recycled Water (CRW)
- Technical advisor to Heydon Park Olives, Talmalmo, Victoria
- Production system economic assessment and inputs for TIDB feasibility studies – Musselrow, Great Forester and South East irrigation scheme developments
- Land capability assessments for numerous properties throughout rural Tasmania to support agricultural development, subdivision of non-agricultural land and expert witness reporting for legal representation
- Review of Industrial Hemp as a commercial cropping opportunity in Tasmania
- Review of pyrethrum industry strategic plan and industry development officer program
- Economic and socio analysis of the impact of blueberry rust incursion to the Tasmanian blueberry industry

Areas of Expertise

- New crop development including essential oils, culinary herbs, medicinals and leafy vegetables
- Design of innovative harvest systems for new crops
- Waste water and effluent reuse
- Agricultural research and development
- Sustainable agricultural system design and implementation
- Environmental monitoring
- Plant physiology
- Land capability assessment
- Group training
- Agribusiness and financial management
- Socio and economic impact assessment

Nicholbrook Expertise

- Economic studies
- Business and farm management
- Feasibility studies
- State and regional development
- Irrigation and water development
- Land capability and mapping
- Natural resource management
- Training and extension
- Technical agricultural consulting

- Site assessment, property liaison and development of Irrigation and Ground Water Management Plans for effluent management of Tassal hatchery expansion at Ranelagh and waste processing plant at Triabunna including representation to EPA.
- Quinoa trial coordination for commercialisation of an emerging “super food” in Australia
- Review of pyrethrum industry strategic plan and industry development officer program
- Market, production and feasibility study of medicinal cannabis production for Tasmanian Alkaloids
- Importation of new varieties and coordination and production system development for BerryWorld Australia in Tasmania and Queensland

Land Capability Assessment JM Bignell Pty Ltd PID 7873947

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