



Our Ref: 22.072

Measured form and function

21 March 2021

Latrobe Council  
PO Box 63  
Latrobe TAS 7307

By Email: [submissions@latrobe.tas.gov.au](mailto:submissions@latrobe.tas.gov.au)

Dear Sir/Madam,

**LATROBE DRAFT LOCAL PROVISIONS SCHEDULE – REPRESENTATION  
ZONING OF BAKERS BEACH ROAD, BAKERS BEACH**

6ty Pty Ltd has been engaged by Craig Badcock, of CB Investment Pty Ltd and Accent Super Co Pty Ltd, to prepare a representation to the Latrobe draft Local Provisions Schedule (“LPS”).

We submit that the application of the Agriculture Zone to the land owned by our client at Bakers Beach Road, Bakers Beach is inconsistent with Guideline No. 1<sup>1</sup>. This is supported by an accompanying Agricultural Report<sup>2</sup>, providing a local scale analysis, prepared by Pinion Advisory.

**1. Subject Site**

The site that is subject of this representation is comprised in three (3) Property IDs and seven (7) titles, as detailed in Table 1. It has a combined area of 461.14ha.

**Table 1 – Property Details**

Property Address	Property ID	Title References
1050 Bakers Beach Road	6529108	205130/1, 201211/1, 210539/1, 205129/1, 118622/1
Bakers Beach Road	6529095	118862/1
Bakers Beach Road	6529087	118730/1

The land is currently zoned Rural Resource under the *Latrobe Interim Planning Scheme 2013* (see Figure 1). The adjacent land to the east, south, south-west and north-west is also within this zone. The adjacent land to the north, and some to the west, is zoned Environmental Management. There is also adjacent land to the west that is zoned Rural Living.

The land within the site is predominantly under residual native vegetation cover with no agricultural land use.

The adjacent Rural Resource Zone includes Future Potential Production Forest to the east and plantation forestry to the south-east. The land within the zone to the south is agricultural land used for grazing. The land within the zone to the south-west and north-west is under residual native cover.

<sup>1</sup> *Guideline No.1 Local Provisions Schedule (LPS): zone and code application*, Tasmanian Planning Commission, June 2018.

<sup>2</sup> *Agricultural assessment and rezoning report*, Pinion Advisory, March 2022.

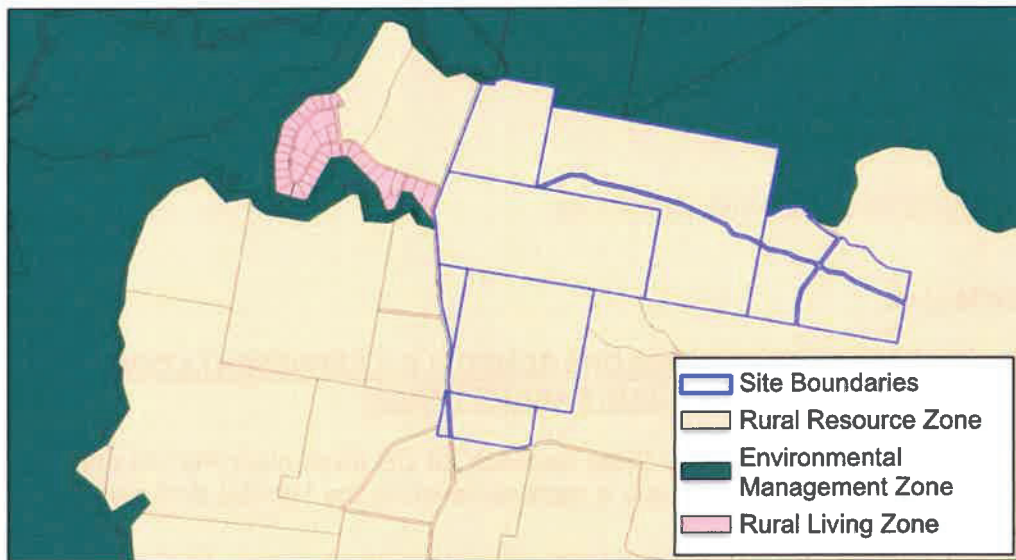
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**Figure 1 – Existing Zoning**



(Source: TheLIST)

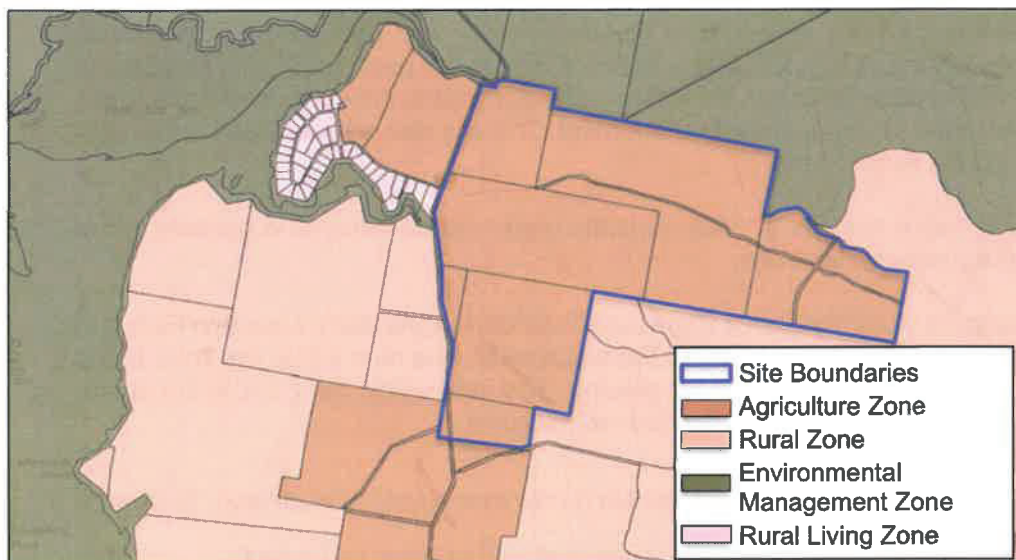
The adjacent Environmental Management Zone applies to the Narawntapu National Park to the north, Briggs Regional Reserve to the north-east and Rubicon Estuary to the west.

The adjacent Rural Living Zone applies to the rural residential properties located along Marina Drive, which extends from Bakers Beach Road, to the east.

**2. Draft LPS**

The draft LPS includes the site within the Agriculture Zone (see Figure 2). The adjacent agricultural land to the south is also identified within the zone. The adjacent land to the east and south-west is identified within the Rural Zone. The existing spatial extent Environmental Management Zone and Rural Living Zone is carried forward to the zoning in the draft LPS. The Rural Living A Zone has been applied to the relevant area.

**Figure 2 – Draft LPS Zoning**



### 3. Constraints to Agricultural Use

The Land Potentially Suitable for Agriculture Zone layer published on TheLIST, created using the methodology outlined in the Agricultural Land Mapping Project<sup>3</sup>, identifies the property as unconstrained.

However, analysis in the Agricultural Report identifies the titles to be constrained under Criteria (CTs 205130/1, 210539/1, 205129/1, 118622/1, 118862/1 and 118730/1) and Criteria 3 (CT 201211/1).

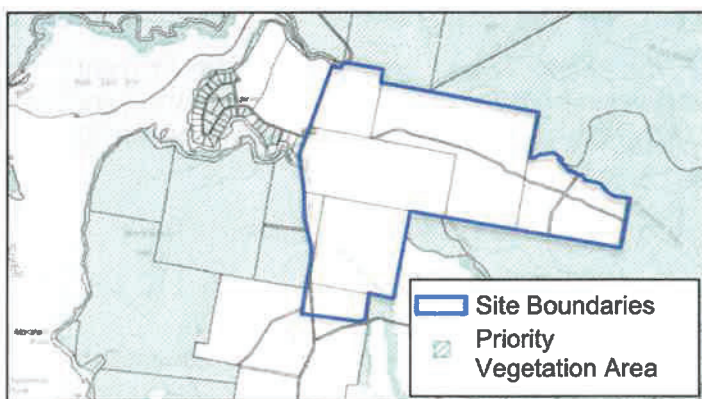
The site is incapable of supporting agricultural use in its current state. The land has relatively low land capability (Classes 5 and 6) and is subject of other constraints relating to topography, climate, lack of quality irrigation water and soil characteristics. It is separated from the agricultural land to the south by topography and vegetation. Significant capital investment would be required to develop the site for grazing. Pastoral land use activity would be severely limited and realistically only capable of supporting small scale and low intensity intermittent dryland grazing.

### 4. Natural Values

Native vegetation within the site predominantly comprises dry eucalypt forest and woodland. It also includes shrub, heathland and coastal complexes and a relatively small patch of native grassland. According to the TASVEG 4.0 layer published on TheLIST, there are no vegetation communities within the site that are listed as threatened under Tasmania's *Nature Conservation Act 2002*.

However, the application of the Priority Vegetation Area to much of the adjacent land (see Figure 3) indicates that contains natural values identified by Regional Ecosystem Modelling<sup>4</sup> that require potential management and/or protection. The site includes similar native vegetation as the adjacent land which suggest natural values are likely to be present within the site. Council's draft LPS supporting report<sup>5</sup> identifies that land identified within the Agriculture Zone has been excluded from application of the Priority Vegetation Area.

**Figure 3 – Priority Vegetation Area**



(Source: Draft LPS)

<sup>3</sup> *Agricultural Land Mapping Project – Background Report*, Department of Justice, Planning Policy Unit in conjunction with Macquarie Franklin and Esk Mapping and GIS, May 2017.

<sup>4</sup> The document *Summary of the Regional Ecosystem Model of Tasmanian biodiversity*, Natural Resource Planning Pty Ltd, February 2016 accompanied Council's draft LPS.

<sup>5</sup> *Tasmanian Planning Scheme, Latrobe Draft Local Provisions Schedule, Supporting Report*, Latrobe Council, January 2022.

## 5. Guideline No. 1 – AZ 6

The relevant guidelines for zone application in Guideline No. 1 are considered in the Agricultural Report. In particular, this includes:

*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.*

In accordance with AZ 6(e), the Agricultural Report demonstrates that land has limited or no potential for agricultural use, including in conjunction with other land to form a larger holding. There are significant constraints to agricultural use occurring. The Agriculture Zone is not appropriate for the land.

Additionally, in relation to AZ 6(c), the Priority Vegetation Area applied to adjacent land in the draft LPS indicates that the site contains natural values that may require management and/or protection. However, the overlay has not been applied due to the identified Agriculture zoning.

Consideration of an alternate zoning is therefore supported by Guideline No. 1.

## 6. Alternate Zoning

Potential alternate zonings which have been identified and reviewed are identified below.

- **Rural Living Zone**      The application of the Rural Living Zone would be based on extending the existing zoned area along Marina Drive. The land surrounding the existing zone, partly including land within the site, comprises lower order rural activities (residual native cover) together with Narawntapu National Park to the north.



These activities contribute to the amenity of the rural residential area, and would to any extension of the area. The topography and vegetation to the south of the site would provide buffering from the adjoining agricultural land, whilst there is sufficient land within the site to provide buffering from the forestry land to the east.

- **Rural Zone**                      The application of the Rural Zone to some or all of the site would be appropriate on the basis that it is not within an urban area and it has limited or no potential for agricultural use.
  
- **Landscape Conservation Zone**                      The zone has not been used in the draft LPS and its application would therefore not be appropriate.
  
- **Environmental Management Zone**                      In accordance with Guideline No. 1, the zone is generally applied to public land and any private land containing significant values. The land is privately owned and application of the Priority Vegetation Area, as relevant, would provide for the appropriate management and/or protection of natural values. Application of the zone would therefore not be warranted.

Application of a Rural Living Zone or Rural Zone would provide for the application of the Priority Vegetation Area to relevant areas in accordance with guideline NAC 13 in Guideline No. 1 and Clause C7.2.1(c) of the State Planning Provisions.

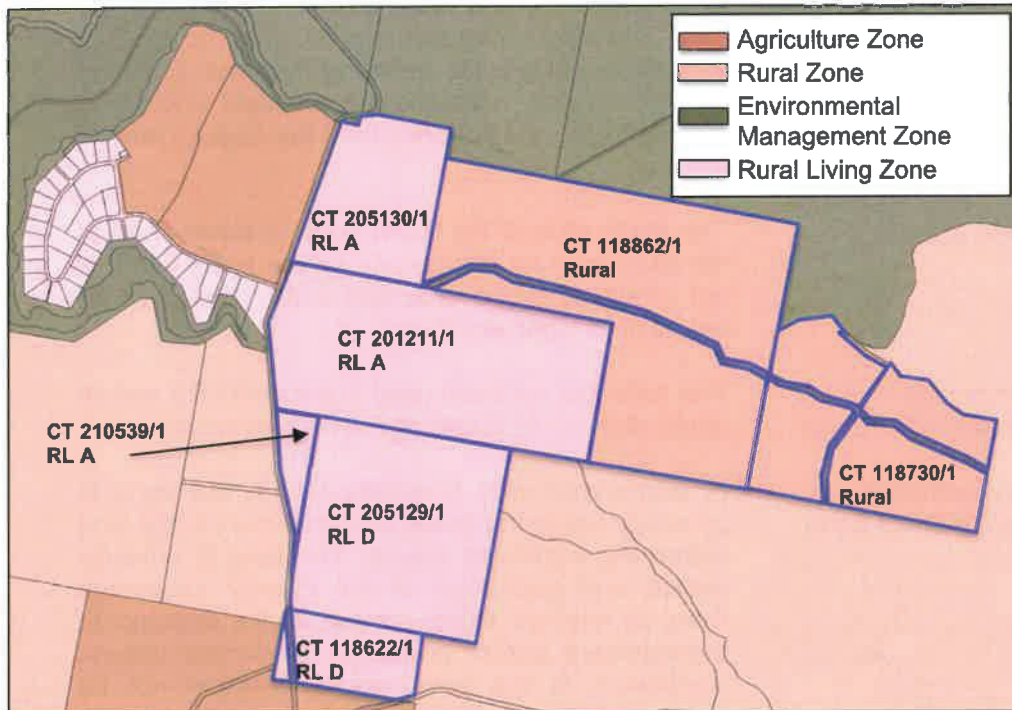
## 7. Proposed Zoning

It is proposed to apply the zones identified in Table 2, and in Figure 4, to the titles comprising the site.

**Table 2 – Proposed Zoning**

Zone	Title References	Rationale
Rural Living Zone A	205130/1, 201211/1, 210539/1	Logical extension of the zone identified for the existing Marina Drive area.
Rural Living Zone D	205129/1, 118622/1	Provide larger lot sizes to provide a transition to the Rural Zone to the east and Agriculture Zone to the south.
Rural Zone	118862/1, 118730/1	Provide for a broader range of uses than the Agricultural Zone allows and for a transition between the Rural Living Zone and the forestry land within the zone further to the east.

**Figure 4 – Proposed Zoning**



(Source: Draft LPS)

**8. Conclusion**

The site is subject to significant constraints that prevent agricultural use and the application of the Agriculture Zone in Council's draft LPS is therefore not consistent with Guideline No. 1.

Following a review of alternate zoning, it is requested that the land in north-west portion of the site is zoned Rural Living A to form a logical extension of the existing Marina Drive Area. Land in the south-west portion is proposed for Rural Living D zoning to form a further extension whilst providing a transition to surrounding land which will be zoned Rural and Agriculture. This includes land within the remainder of the site that is proposed to be zoned Rural.

Alternatively, it would be appropriate to apply the Rural Zone to the entirety of the site.

We look forward to discussing this representation further with Council and the Tasmanian Planning Commission in considering the matters raised.

Yours faithfully  
**6ty° Pty Ltd**

**Ashley Brook**  
 Planning Consultant



CRAIG BADCOCK

# Agricultural assessment and rezoning report

**1050 Bakers Beach Road, Bakers Beach TAS  
7307**

**MARCH 2022**





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## Executive Summary

This agricultural assessment and rezoning report have been prepared on behalf of the proponent, Craig Badcock, and covers the various aspects for the proposed rezoning of the property at 1050 Bakers Beach Road, Bakers Beach TAS 7307, under the Tasmanian Planning Scheme. The proponent proposes a split zoning of the property with titles 205130/1, 201211/1 and 210539/1 proposed to be zoned Rural Living A, titles 205129/1 and 118622/1 proposed to be zoned Rural Living D and titles 118862/1 and 118730/1 proposed to be zoned Rural.

The property in question covers approximately 461.14 ha of land and does not contain any prime agricultural land. The property consists of land capability class 5s, 5es, 6es and 6ws, which are unsuitable for cropping and severely limited for pastoral use. The property cannot sustain any agricultural land use in its current state and would require significant capital investment to develop the property for low intensity grazing land uses. The property is outside any Tasmanian Irrigation District.

The property is bordered to the north by Narawntapu National Park and Reserve. To the east is plantation forestry and crown land for future potential forest. To the west is residual native cover and Rural Living Zone and conservation covenants. To the south there is agricultural land that is separated by topography and vegetation.

Thus, the property in question is severely limited in its current and future agricultural potential and consequently, is constrained agriculturally and would not be able to support a profitable grazing and livestock based agricultural business. Therefore, the property is considered to be a lower order rural activities or lifestyle property rather than productive agricultural land. The property has been identified as having a negligible level of local or regional agricultural significance.

This agricultural assessment identified that the 1050 Bakers Beach Rd property is constrained in terms of the current and future potential agricultural land use activity. It supports the proposed split rezoning of the property from Agriculture to Rural Living A for titles 205130/1, 201211/1 and 210539/1, Rural Living D for titles 205129/1 and 118622/1 and Rural for 118862/1 and 118730/1, under the Tasmanian Planning Scheme. Failing that, it is recommended that the entire property is at least zoned Rural to allow a broader range of primary industry land uses.



## 1 Purpose

This report has been undertaken on behalf of Craig Badcock (the proponent) in order to assess the Rural Living (5 titles) and Rural (2 titles) Zoning of the property at 1050 Bakers Beach Road, Bakers Beach TAS 7307, under the Tasmanian Planning Scheme.

### 1.1 General Overview

#### 1.1.1 Land Capability

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

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

#### 1.1.2 Report Author(s)

In providing the opinion enclosed here, it is to be noted that Faruq Shahriar Isu, holds a Master of Applied Science (Agricultural Science) and has over 2 years’ experience in agribusiness and agricultural research industry in Tasmania. Faruq is trained to carry out land capability and suitability assessments. He has previously used these skills to select trial sites for agricultural research and more recently engaged to undertake agricultural assessment within several municipalities in northern Tasmania.

#### 1.1.3 Tasmanian Planning Scheme - LPS

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

## 2 Property details

### 2.1 Location

The property at 1050 Bakers Beach Road, Bakers Beach TAS 7307 is owned by CB Investment Pty. Ltd. (titles 118730/1, 118862/1, 205130/1 and 201211/1) and Accent Super Co. Pty. Ltd. (titles 210539/1, 205129/1 and 118622/1) (Figure 1, Table 1).

Table 1 Property location identification details

Address	Property ID	Title Reference	Hectares (Approx.)
1050 Bakers Beach Road, Bakers Beach TAS 7307	6529108	205130/1	40.60
		201211/1	100.70
		210539/1	7.14
		205129/1	80.93
		118622/1	19.91
Bakers Beach Road, Bakers Beach TAS 7307	6529095	118862/1	142.20
Bakers Beach Road, Bakers Beach TAS 7307	6529087	118730/1	69.66
<b>Total</b>			<b>461.14ha</b>

The property is located east of Port Sorell and adjacent to the southern boundary of Narawntapu National Park. The topography of the property (Figure 2) is complex with undulating plains and hills with steep slopes, crests, broad ridges and drainage lines formed on undifferentiated sand and gravel deposits along with stream alluvium, swamp and marsh deposits. Sheepwash Creek intercepts the property at various points on the northern part of the property while Browns creek and Little Browns Creek flows through the property roughly through the middle and southern parts, respectively.

Vegetation present in the property consists of predominantly of eucalypt forest and woodland, with Scrub, heathland and coastal complexes along Sheepwash creek and a small patch of native grassland.

The property is held as private freehold land and immediately surrounded by the same to the northeast and south. To the north, the property borders National Park and Regional Reserve. To the northeast is crown land for Future Potential Production Forest. To the southeast is Permanent Timber Production zone and to the southwest is Conservation Covenants (Figure 3).

The property is zoned Rural Resource and immediately surrounded by the same to the east, south and southwest. To the north is environmental management zone. To the northwest there is a Rural Living

zone and extension of the environmental management zone, adjacent to title 201211/11 (Figure 4). It is proposed to be zoned Agricultural by the Latrobe council in the transition to the Tasmanian Planning Scheme (Appendix A).

The 'Land Potentially Suitable for Agriculture Zone' layer on the LIST shows the property as being unconstrained (Figure 5).

The property is not within any Tasmanian Irrigation District.

There are no Threatened Native Vegetation Communities species present on the property.

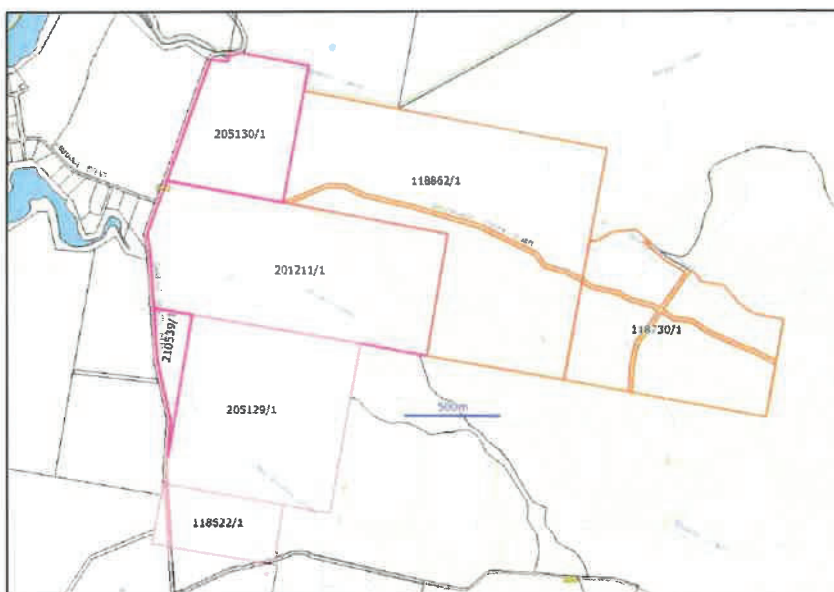


Figure 1. Location of the property. Proponent proposes a split zoning of the property into Rural Living A (pink outlined titles) Rural Living D (light pink outlined titles) and Rural (orange outlined titles) (Source: The LISTMap).

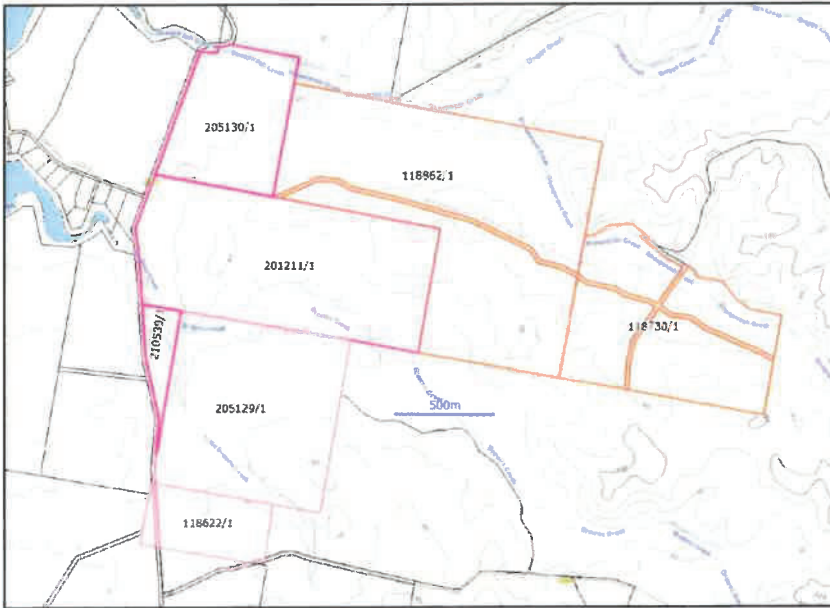


Figure 2. Topographic map of the property (Source: The LISTMap).

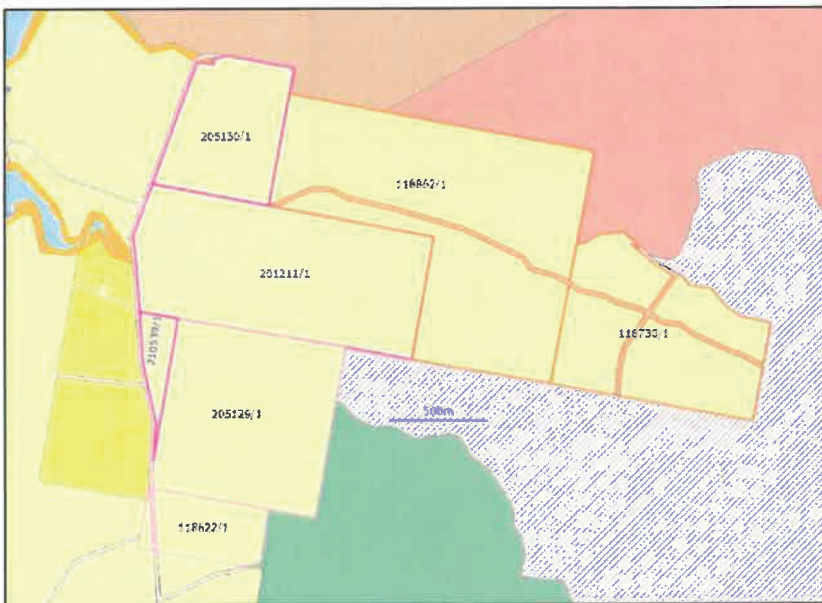


Figure 3. The property is held as private freehold (pale yellow). The property is surrounded by areas held as National Park (brown), Regional Reserve (reddish brown), Crown land for Future Potential Production Forest (white with red stripes), Permanent Timber Production Zone (green) and Conservation Covenants (yellow) (Source: The LISTMap).



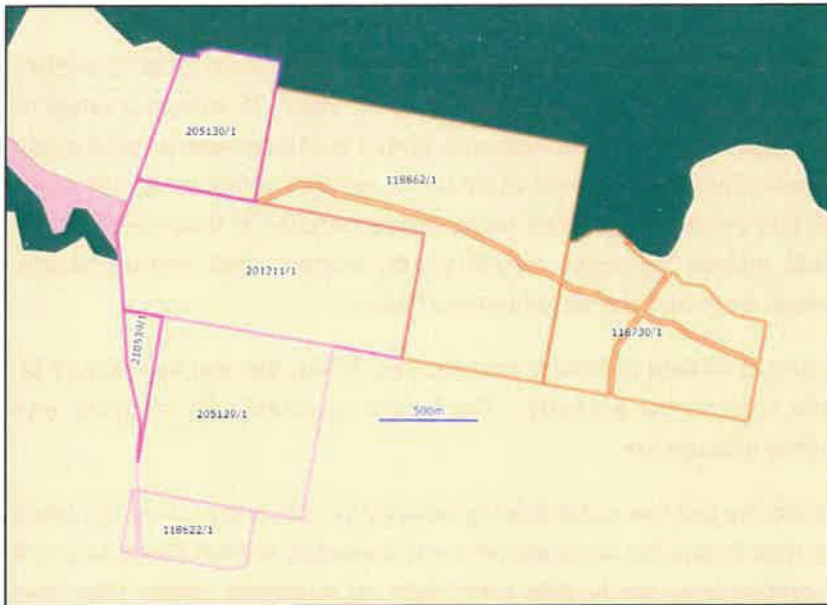


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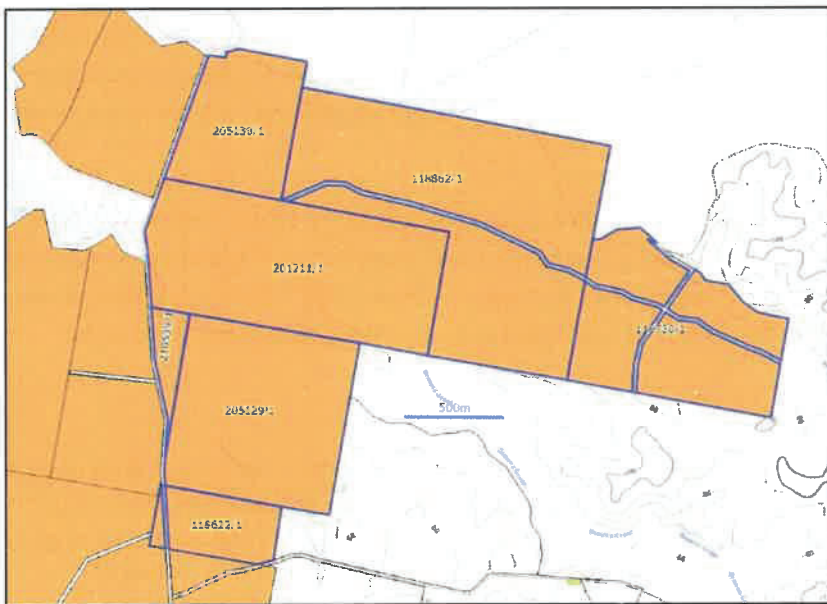


Figure 5. The 'Land Potentially Suitable for Agriculture Zone' layer on the LIST identifies the property as unconstrained (orange) (Source: The LISTMap).

### 3 Land capability

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

The Bakers Beach property consists of land capability class 5s, 5es, 5+6es, 6es and 6ws (Figure 6). There is no prime agricultural land on the property. The land is unsuitable for cropping with moderate to severe limitations to pastoral use.

Soil limitation for low natural fertility and low water holding capacity (on sandy areas) are prevalent throughout the property. The class 5s and 5es areas are primarily limited by erosion (both wind and water). The class 5s areas contain grey sandy soils with slight to moderate slopes that have moderately to severe risk of erosion if the vegetation is removed and the soil is exposed and left without ground cover. These areas are not suitable for cropping and are moderately to severely limited for pastoral use. The class 5es areas predominantly contain white light sands on exposed aspects and steep hills, resulting in a severe erosion risk to bare or exposed soils. The erosion risks are for both wind and water erosion. These areas are unsuitable for cropping and severely limited for pastoral use. There are no native grasses on the sandy soils, only native shrubs and small trees. The class 5+6es land is a transition area between the riparian zones around the creeks and the sandy hillslopes.

The primary limitation for the class 6es and 6ws land areas is waterlogging, where vegetation growth is limited by waterlogging conditions. The class 6s land are areas associated with creek riparian zones with moderate to steep slopes to the creek, where erosion is a risk. Class 6ws land consists of wet low-lying area that experiences prolonged periods of waterlogging, limiting vegetation growth.

Class 5 land is defined as:

*This land 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 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 5+6 is defined as:

*At least 60% land suited to grazing with slight to moderate limitations, up to 40% land suitable to grazing with severe limitations to pastoral use*

Class 6 land is defined as:

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

The key land capability limitations associated with this property are:

- Erosion (e): caused by wind and/or water if soils are exposed or left bare. Recommended to keep under vegetation cover.
- Wetness (w): caused by the movement of water from overflow of creek, drainage channels and surface runoffs accumulating in areas on the flatter soil and depressions. The resulting areas remaining wet for prolonged periods in winter and spring. This restricts the usable arable areas in winter predominantly, allowing for grazing only during dry periods.
- Soil (s) with low fertility levels, low water holding capacity, variable drainage characteristics and often erosion prone.
- Complex topography (x): caused by irregular, uneven or dissected topography which limit ease of management of the property, holistically.

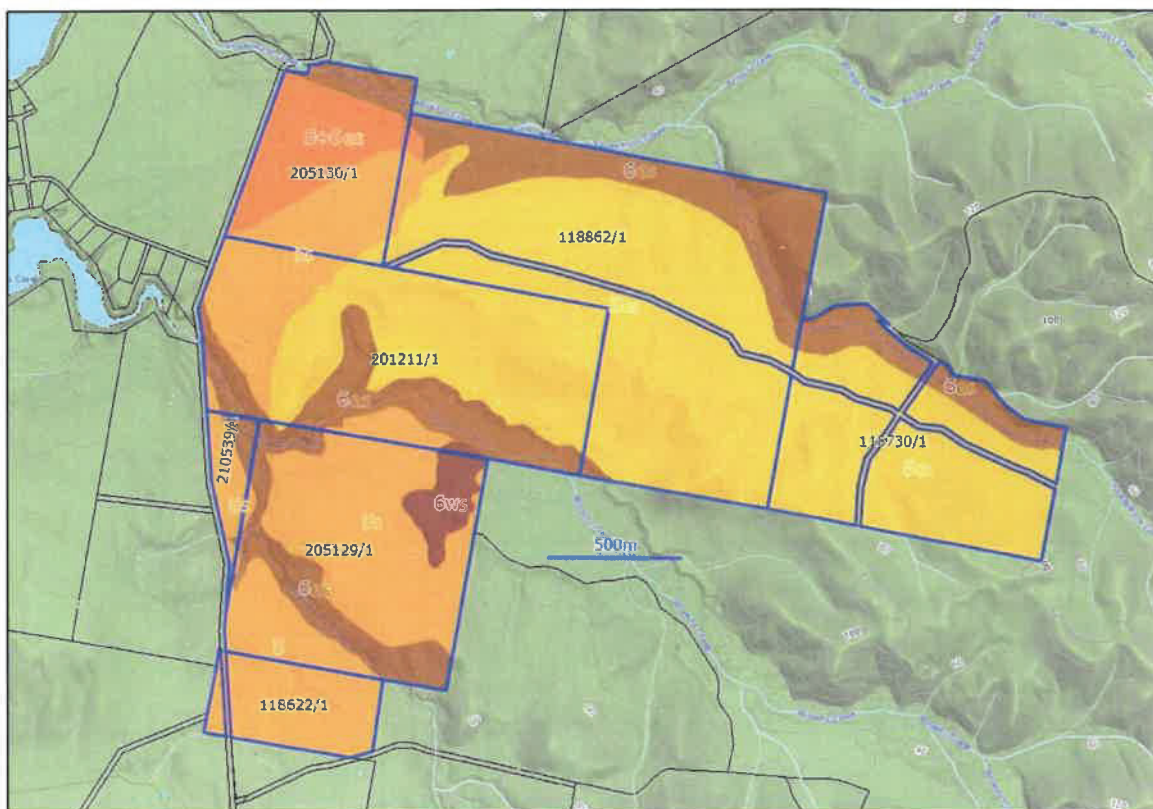


Figure 6. Land capability map of the property. The property consists of class 5s (pale orange), 5es (yellow), 5+6es (orange), 6es (brown) and 6ws (reddish brown) land (Source: The LISTMap).

Table 2 Land capability assessment over titles.

Land Capability Class (ha)	Land Characteristics							
	Geology & Soils	Slope (%)	Topography & Elevation	Erosion Type & Severity	Soil Qualities	Agricultural Versatility	Main Land Management Requirements	Climatic Limitations
5s (approx. 120.87ha)	Grey sandy topsoil over tertiary gravels, sands and clays	0-25%	Undulating plains and hills with slopes, broad ridges and crests  10-60m above sea level.	Moderate to high sheet, rill and wind erosion risk if soil is exposed.	Imperfectly drained to moderately drained and moderately permeable soil Topsoil depth approximately 20-25cm	Unsuitable for cropping with moderate to severe limitations on pastoral use.	Avoid situations that lead to the exposure of bare soil, therefore maintain sufficient ground cover. The risk of compaction in winter from machinery and stock increases significantly during periods of water saturation and logging.	Minor climatic limitations.  This region experiences mild winter and warm summer conditions. Receives an average of 715mm annual rainfall, can experience 3 frost days annually, 1093 GDD (October – April) and 696 chill hours (May – August).



Land Characteristics								
Land Capability Class (ha)	Geology & Soils	Slope (%)	Topography & Elevation	Erosion Type & Severity	Soil Qualities	Agricultural Versatility	Main Land Management Requirements	Climatic Limitations
5es (approx. 215.91ha)	White sandy topsoil over tertiary deposits.	0-30%	Undulating plains with rugged, steep, rocky hills and crests.  10-80m above sea level.	Moderate to severe sheet and wind erosion risk if soil is exposed.	Moderately well drained to well drained soil and slowly permeable soil Topsoil depth approximately 20-25cm	Unsuitable for cropping with severe limitations to pastoral use.	Avoid situations that lead to the exposure of bare soil, therefore maintain sufficient ground cover. The risk of compaction in winter from machinery and stock increases significantly during periods of water saturation and logging.	Minor climatic limitations.  This region experiences mild winter and warm summer conditions. Receives an average of 715mm annual rainfall, can experience 3 frost days annually, 1093 GDD (October – April) and 696 chill hours (May – August).

Land Characteristics								
Land Capability Class (ha)	Geology & Soils	Slope (%)	Topography & Elevation	Erosion Type & Severity	Soil Qualities	Agricultural Versatility	Main Land Management Requirements	Climatic Limitations
5+6es (approx. 21.42ha)	Transitional areas between the riparian zones around creeks and sandy hillslopes.	0-10%	Undulating plains and sandy hillslopes. 10-20m above sea level.	Moderate wind, sheet and rill erosion risk if soil is exposed.	Imperfectly drained and moderately permeable soil.	Unsuitable for cropping with severe limitations to pastoral use.	Avoid situations that lead to the exposure of bare soil, therefore maintain sufficient ground cover. The risk of compaction in winter from machinery and stock increases significantly during periods of water saturation and logging.	Minor climatic limitations. This region experiences mild winter and warm summer conditions. Receives an average of 715mm annual rainfall, can experience 3 frost days annually, 1093 GDD (October – April) and 696 chill hours (May – August).

Land Characteristics								
Land Capability Class (ha)	Geology & Soils	Slope (%)	Topography & Elevation	Erosion Type & Severity	Soil Qualities	Agricultural Versatility	Main Land Management Requirements	Climatic Limitations
6es (approx. 95.14ha)	Areas associated with creek riparian zones. Grey-brown, wet, sandy soils over tertiary deposit.	0-5% (10-15% on steep slopes)	Drainage channels, creeks and moderately steep slopes.  10-20m above sea level.	Moderate sheet, gully and wind erosion risk if soil is exposed.	Rapidly well drained to poorly drained and slowly to moderately permeable soil.	Unsuitable for cropping.  Marginally suitable for pastoral use with severe limitations.	Avoid situations that lead to the exposure of bare soil, therefore maintain sufficient ground cover. The risk of compaction in winter from machinery and stock increases significantly during periods of water saturation and logging.	Minor climatic limitations.  This region experiences mild winter and warm summer conditions. Receives an average of 715mm annual rainfall, can experience 3 frost days annually, 1093 GDD (October – April) and 696 chill hours (May – August).

Land Characteristics								
Land Capability Class (ha)	Geology & Soils	Slope (%)	Topography & Elevation	Erosion Type & Severity	Soil Qualities	Agricultural Versatility	Main Land Management Requirements	Climatic Limitations
6ws (approx. 7.80ha)	Silty loam, wet, topsoil over tertiary deposits.	0-5%	Undulating plains and depressions (low lying area)  20-40m above sea level.	Moderate sheet, rill and gully erosion risk if soil is exposed.	Imperfectly drained and slowly permeable soil Topsoil depth approximately 20-25cm	Unsuitable for cropping.  Marginally suitable for pastoral use with severe limitations.	Avoid situations that lead to the exposure of bare soil, therefore maintain sufficient ground cover. The risk of compaction in winter from machinery and stock increases significantly during periods of water saturation and logging.	Minor climatic limitations.  This region experiences mild winter and warm summer conditions. Receives an average of 715mm annual rainfall, can experience 3 frost days annually, 1093 GDD (October – April) and 696 chill hours (May – August).

### 3.1 Soils

Soils present on the property are predominantly sandy soils due to undifferentiated tertiary sand and gravel deposits along with stream alluvium, swamp and marsh deposits (along creeks).

The topography of the property is complex with undulating plains and hills with steep slopes, crests, broad ridges, drainage lines and riparian creek areas. The soil is generally moderately well drained and is moderately permeable.

The soil types match the topography and elevation. These soils predominantly cover class 5 land areas and parts of class 6 land areas and are characterised by their naturally low fertility and low water holding capacity. These soils are not suitable for cropping. Pasture will be hard to establish and maintain in a productive state. If not managed correctly the pasture will revert to the natural vegetation that is better suited to the soils and climate of the area. Particularly, in majority of class 5es area there were no native grasses observed on the sandy soils, only native shrubs and small trees.

The class 6ws area of the property consists of silty loam soils that are imperfectly drained and slowly permeable. These experience prolonged period of waterlogging, limiting vegetation growth. As a result, the area is not suitable for cropping with marginal pastoral use with severe limitations which only allow for low intensity grazing in dry periods.

The key limitations associated with the soil type are:

- Wetness (w) resulting in waterlogging during winter or periods of heavy rainfall.
- Erosion (e) when soil exposed without vegetation are subject to sheet, rill, gully and wind erosion. Therefore, maintaining sufficient ground cover is advised.
- Soil (s) with low fertility levels, low water holding capacity, variable drainage characteristics and often erosion prone.

Given the soil types, topography, climate and low land capability class, the property is not suitable for agricultural use. Forestry plantations will be difficult to establish due to the low rainfall (~715mm/yr). The low water holding capacity and low fertility of the soil would result in a higher-than-normal tree death through their establishment on the sandy soils. Once established the trees will have a slower growth rate and require longer time to harvest, for the same reason.

Therefore, non-agricultural land use and rezoning of the property can be supported.





Image 1. Soil profile 1. Grey sandy soil in Class 5s land area (photo taken by JB at site visit on 23/02/22).



Image 2. Soil profile 2. White sandy soil in Class 5es land area (photo taken by JB at site visit on 23/02/22).



Image 3. Soil profile 3. Grey-brown, wet, sandy soil in Class 6es land area (photo taken by JB at site visit on 23/02/22).



Image 4. Soil profile 4. Silty loam soil on Class 6ws land area (photo taken by JB at site visit on 23/02/22).





Image 5. No native grasses, only shrubs and trees over white sandy soil in Class 5es land area (photo taken by JB at site visit on 23/02/22).



Image 6. General vegetation at the property. Ground cover mostly with bracken fern and other shrubs (photo taken by JB at site visit on 23/02/22).





Image 7. Transitional area near Sheepwash Creek (photo taken by JB at site visit on 23/02/22).



Image 8. Existing house site at the property (photo taken by JB at site visit on 23/02/22).

## 4 Land Use Activity

### 4.1 Current agricultural activities conducted

The proponent recently acquired the property at 1050 Bakers Beach Road. The land is under residual native cover with no agricultural land use. There are no existing agricultural or primary industry infrastructure at the property, apart from a house, a derelict shed and some fencing.

#### 4.1.1 Adjacent land use activity

There are no agricultural activities surrounding the property, except to the south, which is separated by topography and vegetative buffers. Land to the north is national park and regional reserve. To the east is plantation forestry and crown land for future potential forest. To the west is residual native cover and Rural Living Zone.

### 4.2 Potential agricultural land use activity

#### 4.2.1 Pastoral use

The land in its current state does not have the capacity to support livestock. If the land was cleared converted from the existing vegetation cover and fully developed for pastoral use, the potential livestock carrying capacity would be approximately 9 DSE/ha. At a gross margin of \$45/DSE (dry sheep equivalent) the property would return a total annual gross margin of \$186,705.

The cost to develop the property for dryland pastoral use is estimated to be \$12,000/ha or \$5,533,680 for the property; this includes clearing vegetation, constructing vermin proof boundary and internal fencing, stockyards, lime to improve pH and base fertiliser and sowing new pastures. The figure does not include the cost of installing a stock water dam or initial outlay for livestock.

Assuming the life of the pasture and infrastructure investment to be approximately 20 years, with a gross margin return of \$186,705 per annum (or \$3,734,000 over 20 years) for a sheep enterprise, the economic analysis of the return on investment (ROI) is approximately 3.37%. An ROI of less than 8% would be uneconomic to consider for this type of development. Over the life of the development (20 years) the improvements would generate less revenue than the cost of the investment in the development. In reality, due to the land capability of the property, in conjunction with the physically challenging topography and economics associated with the potential pastoral use of the property, it would not be realistic to convert and establish the property for pastoral land use activities.

Whilst there is irrigation water available for use from the waterways present on the property (see section 4.7), the use of this water would be highly questionable, as the land capability of the property is low/very low and this would result in poor irrigated pasture production outcomes. Thus, an irrigation development on the property would be uneconomic.

It is reasonable to assume an average irrigation development cost of \$1000/ML to build a dam and roughly \$5000/ha for the actual irrigation infrastructure (pivots, pipes, pumps). Based on historical pastoral production data, approximately 589 ML of irrigation water (applied at 5.1ML/ha of water) would be required to irrigate approximately 115ha of class 5 land parcels. This would require a 589ML of dam to be built (a formal dam assessment would be required) which is assumed to cost \$589,000 and



another \$575,000 for the irrigation infrastructure. This would take the total cost of property development to \$6,697,680 and raise the carrying capacity for the irrigated portion of the property to \$35 DSE/ha, equating to a total annual gross margin of \$321,255.

Therefore, with the same assumptions in place (20 years pasture life), with a gross margin return of \$321,255 per annum (or \$6,425,100 over 20 years) for a sheep enterprise with 115ha of irrigated pasture, the new return on investment (ROI) is approximately 4.80%. Given that the ROI is still under 8% with significant increase in required capital, irrigation development at the property is unfeasible.

Therefore, any future residential development would not create a loss of land for potential resource developments for pastoral activities as these activities would not be economically sustainable.

#### **4.2.2 Cropping use**

The land is not suitable for cropping.

#### **4.2.3 Perennial horticulture use**

Some parts of the property could be potentially suitable for selected horticultural crops (such as olives and grapes). However, given the nature of the soil and low land capability, establishment would be very slow. Furthermore, there are no existing infrastructures such as irrigation and the land would need to be cleared. Irrigation from the waterways present on the property would require significant investment (see section 4.2.1) and require a formal assessment, including a dam assessment for storage.

### **4.3 Impact on agricultural activities and residential amenity of neighbouring land**

The potential agricultural land at 1050 Bakers Beach Road borders proposed Environmental Management zone to the north and proposed Rural Zone to the east and southwest. There is proposed agricultural land to the northwest and south and title 201211/1 of the property adjoins a Rural Living Zone to the west (Appendix A). There are currently no agricultural activities conducted surrounding the property, except to the south, which is separated by topographic and vegetative buffers. The property itself is unsuitable for agriculture in its current state.

After inspecting the site (site assessment completed February 2<sup>nd</sup>, 2022), it has been concluded that the topography and vegetation would provide sufficient buffers for any future developments and potential low intensity agricultural use in future rural zone and therefore, prevent unreasonable impact of agricultural on residential amenity and vice versa in the greater area.

#### 4.4 Impact of agricultural activity on neighbouring land to the proposed re-zoning

This assesses the impact of agricultural land use activities on the neighbouring land uses, including agricultural and residential. An assessment of the key risks is summarised in Table 3. This has been compiled on the basis that the neighbouring farm activities are likely to include cropping and livestock grazing.

Table 3 Potential risk from agricultural land use activities on neighbouring land

Potential Risk from Agricultural Land Activity on Neighbouring properties	Extent of Risk & Possible Mitigation Strategy
1. Spray drift and dust	Risk = Low. Low intensity agriculture is conducted only to the south. Existing buffer distances, extensive areas of vegetation present and topography will mitigate the impact of sprays and dust if applied under normal recommended conditions. Ground or spot spraying is a practical and mostly used alternative on the adjacent agricultural land used for pastoral land use activities. Spraying events should be communicated in a timely manner to the inhabitants of the dwelling. The use and application of agricultural sprays must abide by the Tasmanian Code of practice for ground spraying 2014.
2. Noise from machinery, livestock and dogs.	Risk = low. Machinery traffic will occur when working and undertaking general farming / primary industry duties. Significant separation distances and the presence of extensive areas of native vegetation would mitigate exposure to noise emission for neighbouring properties.
3. Irrigation water over boundary	Risk = nil. This is not expected to be an issue. Irrigation is not practiced on neighbouring lands.
4. Stock escaping and causing damage.	Risk = low. Provided that boundary fences are maintained in sound condition and checked regularly.
5. Electric fences	Risk = low. Mitigated by the proponent attaching appropriate warning signs on boundary fencing.

#### 4.5 Impact of proposed re-zoning on agricultural activity

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

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

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

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

There are no residential dwellings within 1km of the existing dwelling at the property (Figure 7). By zoning the proposed titles (figure 1) as Rural Living A (205130/1, 201211/1 and 210539/1), Rural Living D (205129/1 and 118622/1) and Rural (118862/1 and 118730/1), it will form a logical extension of the Rural Living area along Marana Drive while transitioning to larger lifestyle blocks which will retain the bucolic nature of the property and provide more land use options for future developments.

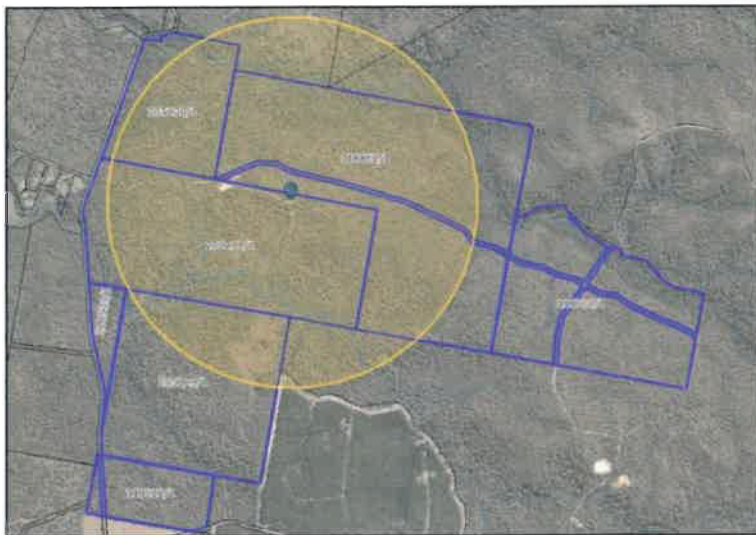


Figure 7. No residential dwellings within 1km (yellow circle) of the existing house (blue pin) at the property.

#### 4.7 Water storage and resources

The property is not serviced by TasWater for drinking water and sewerage service (The LISTMap).

The property is not located in an Irrigation District.

Using the Water Access Tool (WAT) there is water available to access from the three waterways present on the property, as Browns, Little Browns and Sheepwash Creeks as per table 5 below.

Table 5. Available water (ML) Browns, Little Browns and Sheepwash Creeks.

Reliability	Availability limit		Currently allocated		Potentially available
	Sheepwash Crk	Brown & Ltl Brown Crk	Sheepwash Crk	Brown & Ltl Brown Crk	
High Availability	128	461	0	0	589
Mid Availability	51	228	0	0	279

Thus, there is potentially 589 ML of high availability (surety 5), and 279 ML of mid availability (surety 6) irrigation water available. There are currently no irrigation dams at the property and a significant dam would need to be constructed to store water for irrigation. A formal dam assessment would be required to assess suitability and feasibility. The quality and reliability of the water would also need to be field checked. Construction of a dam and subsequent irrigation infrastructure would require significant capital investment (see section 4.2.1) with less than adequate return on investment. Therefore, investment on irrigation development at the property would be economically unfeasible.

## 5 Local and Regional Agricultural Significance

The property in question holds a negligible level of recognised local and regional agricultural significance. The percentage of respective land capability class is shown in table 6 below, which shows that the property in question only represents 0.95% of class 5 and 0.43% of class 6 land in the Tamar mapped area, which is not significant in the area.

Table 6 Land capability Tamar area.

Land Capability Class*	Tamar land capability mapping area		
	Land area (hectares)	Total mapped land area (hectares)	% of land class in mapped area
5	349.63	36,773	0.95%
6	111.51	26,038	0.43%

\*Percentage of class 5+6 land area have been incorporated into class 5 (60%) and class 6 (40%) land area, as per definition.

This local area in Bakers Beach has seen residential dwellings develop over time along Marana Drive with little to no development to agriculture or rural land for primary industry use. The property borders Rural Living zone (adjacent to title 201211/1) and conservation covenants to the west, national park and regional reserve to the north, crown land for forestry and forestry plantations to the east. Some low intensity agriculture (dryland grazing) is carried out to the south. Therefore, with nowhere else to expand future residential development, the western titles (205130/1, 201211/1 and 210539/1) on the property would form a logical and realistic extension of the Rural Living A Zone along Marana Drive, transitioning to Rural Living D Zone (titles 205129/1 and 118622/1) to the south and Rural Zone (titles 118862/1 and 118730/1) to the east, to provide for larger lifestyle blocks with versatile land use options for any future developments while maintaining the bucolic nature of the greater area.

## 6 Property Improvement and Development Consideration

The property is not suitable for agriculture in its current state. As per the low land capability class of the property, the area is not suitable for cropping. Given the estimated gross margin return for livestock, after significant capital investment required to establish pastures, infrastructure development at the property would be economically unfeasible.

## 7 Potential Constraint Analysis

The property titles (Table 1) have been identified as unconstrained for agriculture under the 'Land Potentially Suitable for Agriculture Zone' layer in the LIST (Figure 5). However, an analysis of potential constraints for agricultural use on the titles in question following the methodology established in the Agricultural Mapping Project (May 2017) found the property titles to be potentially constrained under Criteria 2B (205130/1, 210539/1, 205129/1, 118622/1, 118862/1 and 118730/1) and Criteria 3 (title 201211/1).



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

This property is currently under native vegetative cover with no agriculture use. Given the soil, climate, topography and land capability class, any future potential agricultural use would be for dryland pasture. Therefore, the property and its titles would be classified under the Enterprise Suitability Cluster as (ES5) Broadacre – Dryland Pastoral. As such the titles are smaller than the minimum size of 333ha for the Enterprise Suitable Cluster. *Go to criteria 2.*

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

*For title 201211/1:*

The capital value is less than \$50,000/ha (criteria 2A) as calculated from the total purchase price of the property. The title adjoins a Rural Living Zone area to the west with no meaningful or commercial agricultural land use on the neighbouring properties for the property to be amalgamated with. The title adjoins the Rural Living area with a capital value greater than \$50,000/ha. *Go to Criteria 3.*

*For titles 205130/1, 210539/1, 205129/1, 118622/1, 118862/1 and 118730/1:*

The capital value is less than \$50,000/ha (criteria 2A) as per the purchase price of the rural resource land and not adjoining titles with area greater than that specified in criterial 1 (criteria 2B), there are no meaningful or commercial agricultural land use on the neighbouring properties for the property to be amalgamated with. *Go to Criteria 3.*

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

*For title 201211/1:*

There is Rural Living Zoned land adjoining the title to the west, therefore Criteria 3 applies. The adjoining land on the other boundaries to title (north, east and south) is part of the property which borders Narawntapu National Park to the north, forestry area to the east. There is a small parcel of agricultural land to the south of title 118622/1, separated by topography and vegetation. Therefore, title 201211/1 of the property is Potentially Constrained (Criteria 3), that is, adjoining residential development and not adjoining unconstrained land.

*For titles 205130/1, 210539/1, 205129/1, 118622/1, 118862/1 and 118730/1:*

The titles are not directly adjoining any residential zone. However, area to the north of the property is proposed to be under environmental management and managed by parks and wildlife services, with Narawntapu National Park adjoining titles 205130/1 and 118862/1. To the east DPIPWE Future Potential Production Forest and to the southeast is forestry plantation under Forestry Tasmania. To the southwest there are conservation covenants in place. These areas are proposed to be zoned Rural. Therefore, titles 205130/1, 210539/1, 205129/1, 118622/1, 118862/1 and 118730/1 are potentially constrained (Criteria 2B) that is, not adjoining unconstrained land and not adjoining residential development.

## 8 Proposed Rezoning

The proponent proposes to have a split zoning for the property at 1050 Bakers Beach Road, Bakers Beach under the Tasmanian Planning Scheme. Titles 205130/1, 201211/1 and 210539/1 are proposed to be zoned Rural Living A (pink outlined titles in Figure 1), titles 205129/1 and 118622/1 are proposed to be zoned Rural Living D (light pink outlined titles in Figure 1) and titles 118862/1 and 118730/1 proposed to be zoned Rural (orange outlined titles in Figure 1).

The property in question currently has no agricultural land use and restricted in terms of future potential agricultural land use activity due to a combination of factors including but not limited to; predominantly low level of land capability, subject to waterlogging in low lying areas, significant erosion risk and is incapable of supporting sustainable commercial scale agricultural land use activity due to lack of quality and reliable water being outside any Tasmanian Irrigation District and soil characteristics.

### 8.1 Proposed Rural Living Rezoning

In order to support the zoning proposal, responses to key considerations have been provided as per the Local Provision Schedule (LPS) zone and code application:

RLZ 1, RLZ 2, RLZ 3 and RLZ 4 for titles 205130/1, 201211/1 and 210539/1 (proposed Rural Living A Zone) and titles 205129/1 and 118622/1 (proposed Rural Living D Zone).

#### 8.1.1 RLZ 1

*RLZ 1 The Rural Living Zone should be applied to:*

- (a) residential areas with larger lots, where existing and intended use is a mix between residential and lower order rural activities (e.g. hobby farming), but priority is given to the protection of residential amenity; or*
- (b) land that is currently a Rural Living Zone within an interim planning scheme or a section 29 planning scheme,*

#### Response:

- (a) The property in question is not suitable for agricultural operations in its current state. Significant capital investment would be required to support low intensity, dry land, pastoral use pastoral land use activity. Information regarding the current and potential restricted and limited nature of the property's agricultural land use is extensively covered in section 4 of the agricultural report. Therefore, the titles are consistent with lower order rural activities (eg hobby farming) and form a logical extension of the existing Rural Living Zone along Marana Drive.
- (b) Not Applicable.

#### 8.1.2 RLZ 2

*RLZ 2 The Rural Living Zone should not be applied to land that is not currently within an interim planning scheme Rural Living Zone, unless:*

- (a) 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; or*

- (b) the land is within the Environmental Living Zone in an interim planning scheme and the primary strategic intention is for residential use and development within a rural setting and a similar minimum allowable lot size is being applied, such as, applying the Rural Living Zone D where the minimum lot size is 10 ha or greater.*

**Response:**

- (a) The property in question holds a negligible level of local and regional agricultural significance in relation to its current and potential future agricultural qualities and/or features. The property has no prime agricultural land present on it, is not adjacent to a larger parcel of contiguous agricultural land which is prime or non-prime agricultural land capability that could see this property combined with another agricultural property. Areas of the property are subject to erosion and waterlogging nor is it located in an irrigation district.
- (b) Not applicable.

**8.1.3 RLZ 3**

*The differentiation between Rural Living Zone A, Rural Living Zone B, Rural Living Zone C or Rural Living Zone D should be based on:*

- (a) a reflection of the existing pattern and density of development within the rural living area; or*  
*(b) further strategic justification to support the chosen minimum lot sizes 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.*

**Response:**

- (a) The Rural Living A zoning of titles 205130/1, 201211/1 and 210539/1 would allow for a logical extension of existing Rural Living A zone adjacent to title 201211/1, along Marana Drive, while the Rural Living D zoning of titles 205129/1 and 118622/1 would mean larger land holdings in any future developments that allow for a broader range of land uses.
- (b) There are no identified areas of expansion recognised in the region. The existing Rural Living Zone along Marana Drive is surrounded by Environmental Management Zone, with only possible extension corridors being a small parcel of land on the northern side of Marana Drive and to the property in question. Being unsuitable for agricultural land use in its current state and with minimal potential for agricultural development, the property offers a good opportunity and an easy and logical extension of the Rural Living A zone located on Marana Drive. It is proposed that titles 205130/1, 201211/1 and 210539/1 be zoned Rural Living A to allow for future development in a rural setting and titles 205129/1 and 118622/1 be zoned Rural Living D to act as a transitional area for the proposed Rural zone to the east and agricultural land to the south. This will also allow for a more diverse land use options and help retain the bucolic nature and landscape values of the greater region.

**8.1.4 RZL 4**

*RLZ 4 The Rural Living Zone should not be applied to land that:*

- (a) is suitable and targeted for future greenfield urban development;*

- (b) contains important landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values (see Landscape Conservation Zone), unless the values can be appropriately managed through the application and operation of the relevant codes; or*
- (c) is identified in the 'Land Potentially Suitable for Agriculture Zone' available on the LIST (see Agriculture Zone), unless the Rural Living Zone can be justified in accordance 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.*

**Response:**

- (a) The land is not targeted for future greenfield urban development (ie General Residential), Therefore it is proposed that titles be zoned Rural Living - 205130/1, 201211/1 and 210539/1 (proposed Rural Living A Zone) and 205129/1 and 118622/1 (proposed Rural Living D Zone) – to allow for the logical expansion of the Rural Living Zone along Marana Drive. The balance titles of the property is proposed to be zoned rural to be consistent with the greater area.
- (b) There are no important landscape or scenic values on the property.
- (c) The property in question has been identified as being unconstrained according to the 'Land Potentially Suitable for Agriculture Zone' (Figure 5). However, this report re-assesses the property under the "Constrains Analysis Flow Chart" as per the "Agricultural Land Mapping Project (2017)" and concludes that the potential suitability of the land for Agricultural Zone is Constrained (see section 7). This report also assesses the agricultural land use potential as low and limited in its use (see section 4).

## 8.2 Proposed Rural Rezoning

In order to support the zoning proposal, responses to key considerations have been provided as per the Local Provision Schedule (LPS) zone and code application:

RZ 1, RZ 2 and RZ 3 for titles 118862/1 and 118730/1 (Proposed Rural Zone).

### 8.2.1 RZ 1

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

**Response:**

The titles 118862/1 and 118730/1 of the property at 1050 Bakers Beach Road, Bakers Beach are proposed to be zoned Rural as it is deemed Potentially Constrained (Criteria 2B) for potential agriculture zone (see section 7). The land associated with these titles are limited for agriculture (primarily suitable for grazing, unsuitable for cropping), due to the land capability classification (see section 3). Significant capital investment would be required to modify and utilise the land for low intensity pastoral use with comparatively low gross margin income and in reality, no agricultural development on this property would be undertaken. The land is best left in its natural state and Rural zoning for titles would be

consistent with the proposed rural zone to the east, which is used for forestry. Thus, allowing a broader range of primary industry land uses while being consistent with the zoning of broader area.

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

- Land capability and soil limitations – frequent waterlogging of areas, severe wind and water erosion risks.
- Restricted irrigation water resources – no existing infrastructure and not within a Tasmanian Irrigation District.
- No irrigation water storage options.
- Highly restricted opportunity for diversification in agricultural enterprises beyond dryland low intensity pastoral activity that would require significant capital investment with less than adequate return on investment of approximately 3.37%.

Due to a combination of the economic considerations and unfeasibility of developing irrigation infrastructure for agricultural land use activity (see section 4), the property's agricultural productivity is negligible. Therefore, rural zoning is the most appropriate and suitable zoning for the property titles under the Tasmanian Planning Scheme, to allow a wider range of primary industry land uses other than exclusively agriculture.

### 8.2.2 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.*

#### Response:

The "Land Potentially Suitable for Agriculture Zone" layer in the LIST map indicates that the property at 1050 Bakers Beach Rd, Bakers Beach has been identified as being unconstrained for agriculture (Figure 5). However, a Potential Constraint Analysis (see section 7) of the property has identified the property as being potentially constrained under criteria 2B titles (205130/1, 210539/1, 205129/1, 118622/1, 118862/1 and 118730/1) and criteria 3 (title 201211/1). Furthermore, the property is unsuitable for agricultural use in its current state and would require significant capital investments to be developed for low intensity pastoral use with severe limitations (see section 3 and 4).

Therefore, it would be appropriate and consistent to zone titles 118862/1 and 118730/1 as Rural under the Tasmanian Planning Scheme to allow a broader range of land uses, coherent with the surrounding area.

### 8.2.3 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.*

**Response:**

- (a) The property in its current state is not suitable for any agricultural operation and would require significant capital investment. The land is limited for agricultural use and is not integral to the management of a larger farm holding that will be within the Agricultural Zone due to:
  - Soil limitations of low fertility, water logging and severe erosion risk if exposed.
  - No prime agricultural land at the property. The property consists of class 5 and 6 land that is not suitable for cropping with severe limitations to pastoral use.
  - Lack of quality irrigation water and infrastructure. The property is outside any Tasmanian Irrigation District.
- (b) There are significant constraints to agricultural use due to soil and water limitations, topography and climate. The property is not suitable for agricultural land use in its current state (see section 3 and 4).
- (c) No strategically important naturally occurring resources have been identified on the property.
- (d) The property title in question have been assessed as having no strategic important use or development, rather the land is of particularly low value in terms of agricultural land use in its current state.
- (e) Based on review and assessment of the local and regional significance, the property titles in question hold no important and/or critical agricultural values. The property is not suitable for any cropping enterprise. The economic analysis of the grazing land uses options demonstrate that the land capability cannot support a profitable enterprise of this nature and therefore, should be zoned Rural to allow a broader range of land uses consistent with the surrounding area.

### **8.3 Inconsistency with Agriculture Zone**

In order to support the zoning proposal, responses to key considerations have been provided as per the Local Provision Schedule (LPS) zone and zone application guideline AZ 6, which indicate that the property in question is inconsistent with being in an Agriculture zone.

#### **8.3.1 AZ 6**

*Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternative zoning if:*

- (a) *Local or regional strategic analysis has identified or justified the need for alternate consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council;*

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

**Response:**

- (a) has identified the property as being potentially constrained under criteria 2B titles (205130/1, 210539/1, 205129/1, 118622/1, 118862/1 and 118730/1) and criteria 3 (title 201211/1) (see section 7 of the report). The property in question holds a negligible level of local and regional significance in relation to its current and potential future agricultural qualities and/or features (see section 5).
- (b) Not applicable.
- (c) Not applicable.
- (d) Given the property is unsuitable for agricultural use in its current state and with minimal potential for agricultural development, the proposed split zoning of the property would allow for a logical extension of the Rural Living Zone along Marana Drive (adjacent to title 201211/1) and then transitioning to Rural Living D (titles 205129/1 and 118622/1) to the south and Rural (titles 118862/1 and 118730/1) to the east, to allow for a broader range of land use. This strategic zoning would protect each area in terms of natural landscape values and effectively manage any future residential development. Failing to recognise the split zoning merits, the property should at least be zoned Rural entirely to allow for a broader range of land uses.
- (e) The property in question is severely limited to current and potential agricultural land use activity, due to:
  - (i) The land is severely limited for agricultural use based on the and capability assessment that identified the limiting feature of:
    - Soil limitations of low fertility, water logging and severe erosion risk if exposed.
    - No prime agricultural land at the property. The property consists of class 5 and 6 land that is not suitable for cropping with severe limitations to pastoral use.
    - Lack of irrigation water and infrastructure. The property is outside any Tasmanian Irrigation District.
    - These titles cannot be integrated into the management of a larger farm holding due to the complex topography and being bordered by national park and regional reserve, future and current forestry plantations and conservation covenants. Title 201211/1 is also adjacent to Rural Living zone.

- (ii) The property in its current state is incapable of supporting agricultural land use (see section 3 and 4). The property consists of low land capability class 5 and 6 land and holds a negligible level of local and regional agricultural significance. The topography, climate, lack of quality irrigation water and soil characteristics severely restrict economically viable agricultural development at the property. Therefore, it is reasonable to state that there is significant constraint to agricultural use occurring on the land, as the property would not be capable of supporting intensive agricultural land use activity.
- (iii) The agriculture zoning is not appropriate for the land as it is only suitable for severely restricted agricultural land use activity – dryland low intensity pastoral use, after significant capital investment. the proposed split zoning of the property would allow for a logical extension of the Rural Living Zone along Marana Drive (adjacent to title 201211/1) and then transitioning to Rural Living D (titles 205129/1 and 118622/1) to the south and Rural (titles 118862/1 and 118730/1) to the east, to allow for a broader range of land use. This strategic zoning would protect each area in terms of natural landscape values and effectively manage any future residential development. Failing to recognise the split zoning merits, the property should at least be zoned Rural entirely to allow for a broader range of land uses.

## 9 Conclusion

1. The property does not contain any prime agricultural land.
2. The property consists of land capability class 5s, 5es, 6es and 6ws land that is unsuitable for cropping with severe limitations to pastoral use.
3. The property is incapable of supporting agricultural land use in its current state. Significant capital investment would be required to develop the property for grazing. Pastoral land use activity would be severely limited and realistically only capable of supporting small scale and low intensity intermittent dryland grazing.
4. Limitations to developing the agricultural land uses, now and in the future, with no existing irrigation infrastructure or the capacity to capture and store water on farm. The property is outside any Tasmanian Irrigation District.
5. Potential constraint analysis of the property has identified it being Potentially Constrained (criteria 2B and 3).
6. Agricultural economic returns are not adequate to support livestock enterprise and employees and is therefore, a large lifestyle property and operations would need to be subsidised by off-farm income to operate commercially.
7. It is not practical or feasible for the property to be integrated into a larger agricultural property due to lower land capability, complex topography, soil characteristics and lack of quality irrigation water. The property is predominantly bordered by nature reserves and forestry areas.
8. The proximity of surrounding residences impacts a portion of the property's agricultural land use when agricultural buffers are applied to lower the risks of interference and conflict. These buffers would be managed by the agricultural operation which does not protect the agricultural land area for maximum agricultural use.
9. The proposed split rezoning (Rural Living and Rural) would form a natural and logical extension of the existing Rural Living Zone to the west. Failing to acknowledge the merits of proposed Rural Living zone for the titles, it is recommended that the property be at the very least be zoned Rural in its entirety.
10. The proposal is consistent with the Local Provision Schedule (LPS) zone and code application RLZ 1, RLZ 2, RLZ 3 and RLZ 4 for titles 205130/1, 201211/1 and 210539/1 (proposed Rural Living A Zone) and titles 205129/1 and 118622/1 (proposed Rural Living D Zone); RZ 1, RZ 2 and RZ 3 titles 118862/1 and 118730/1 (Proposed Rural Zone).
11. The proposal is inconsistent with the Local Provision Schedule (LPS) zone and code application AZ 6.



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## 11 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.

*Faruq Isu*

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March 2022

## 12 Appendices

### Appendix A: Tasmanian Planning Scheme – Zones: Latrobe LPS. Approximate property area outlined in yellow.

