
From: Jason Whitehead <jm_whitehead@hotmail.com>
Sent: Friday, 7 February 2020 6:22 PM
To: Planning <planning@freycinet.tas.gov.au>
Cc: amosthegoat@hotmail.com
Subject: LPS representation - Cape Herbert Pty Ltd land zoning

Dear Glamorgan Spring Bay Council planners,

Please find attached my represent on the Local Planning Schedules (LPS), requesting the Cape Herbert Pty Ltd land titles RF 155176/2 and 155176/1 be placed in the Rural Zone rather than the proposed Agricultural Zone.

Please can you send an acknowledgement of receipt of my representation. Please let me know if you require any additional information.

Regards,

Jason Whitehead

Co-Director Cape Herbert Pty Ltd (Okehampton)

(m) 0448 271 270



7 February 2020

To the Glamorgan Spring Bay Council

LPS representation from Cape Herbert Pty Ltd
'Request Rural Zone rather than proposed Agricultural Zone'

Please acknowledge receipt of this letter as I am requesting our land be zoned 20.0 Rural, rather than the proposed 21.0 Agriculture, on the titles RF 155176/2 and 155176/1. The basis for my requests is consistent with the *Guideline No. 1 local provision schedule (LPS) zone and code application*.

In the *State Planning Provisions* in the 21.0 Agriculture Zone; 21.2 Use Table 'Research and Development' is listed as an un-qualified discretionary use on land zoned as 'Agricultural' and as such could be viewed as a prohibited use. I'm seeking to have our land zoned as 'Rural' on the above titles to preserve current and future 'Research and Development' opportunities with the University of Tasmania (Utas). We are encouraging collaborative research and development here and have a memorandum of understanding with UTas (see appendix 1). In the Rural Zone 'Research and Development' is listed as a permitted use 'if associated with Resource Development or Resource Processing' and is a more appropriate zone application here. The research includes a focus on dryland grazing, which is a regionally significant land use. The request for Rural Zoning based on preserving current and future 'Research and Development' opportunities is consistent with: *Guideline No 1, LPS code and zone application: AZ6* "Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if" (d) for the identification, provision or protection of strategically important uses that require an alternate zone"

The property also has significant physical constraints making many areas unsuitable or restricted in Agricultural use, such that the Rural Zone should apply. This is consistent with *Guideline No 1, LPS code and zone application: AZ6* "Land identified in the 'Land Potentially Suitable for Agriculture Zone' layer may be considered for alternate zoning if" (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".

- i) The purpose of the SPP Agricultural Zone purpose 21.1.2 (c) is to minimize non agricultural land use in irrigation districts. We are not in an irrigation district and have no access to water licence allocations. Surface water is largely absent from all our farm dams in summer, and as such is a severe limitation to agricultural use now and into the future. One groundwater bore exists on the property, with limited recharge and is suitable for stock watering only.



ii) I have create more accurate land capability mapping using aerial imagery and ground truthing (applying the land capability mapping principles see appendix 2). My mapping illustrates class 6 & 7 land is more widespread than illustrated on theLIST website, and which was used to create the proposed Agricultural Zone through the *Agricultural land mapping project* (see Figure 1 & 2) and as such the Agricultural Zone should not apply to our titles. If required by council, or the Tasmanian Planning Commission, I am willing to seek expert verification of the property land capability class mapping through Jason Lynch (Macquarie Franklin), or a similar qualified expert.

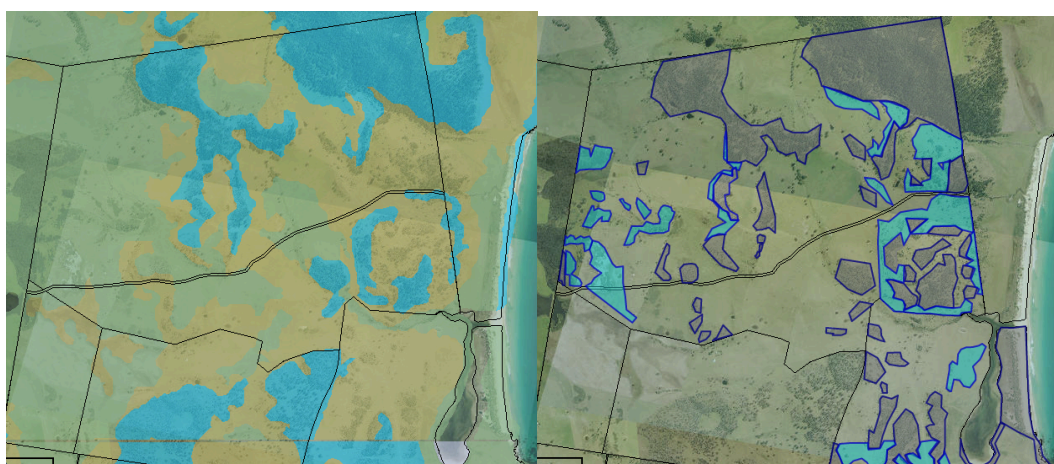


Figure 1. LEFT= theLIST land capability mapping; Right = ground trothed land capability mapping Class 6 (blue) & Class 7 grey over title RF 155176/1 (as of 25-1-2020). Note the expanded area of Class 6 & 7, which indicate more areas are of limited dryland grazing or no agricultural use (respectively), than mapped on theLIST website and applied when identifying land suitable for the proposed agricultural zone.

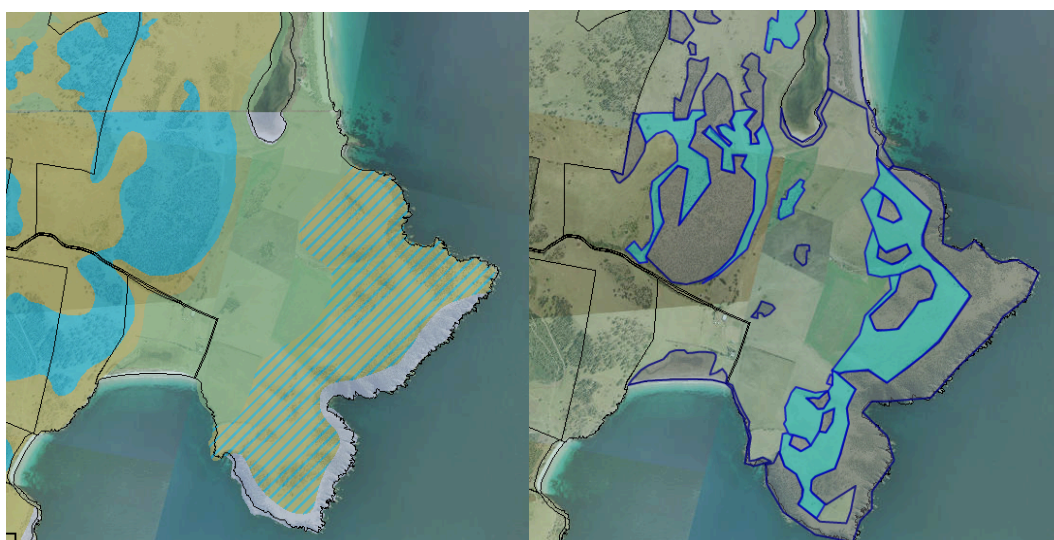


Figure 2. LEFT= theLIST land capability mapping; Right = ground trothed land capability mapping Class 6 (blue) & Class 7 grey over title RF 155176/2 (as of 25-1-2020). Note the expanded area of Class 6 & 7, which indicate more areas are of limited dryland grazing or no agricultural use (respectively), than mapped on theLIST website and applied when identifying land suitable for the proposed agricultural zone.



- a. Land capability mapping on theLIST website has some areas illustrated as class 7 (unsuitable for agriculture); however the mapping should be expanded to include:
 - i. Beaches, dunes, rocky cliffs, saltmarsh and wetlands, and threatened vegetation communities.
 - ii. Recent mapping by the University of Tasmania has noted threatened vegetation mapping (saltmarsh, and Bluegum woodlands), which required corrections to the TasVege 3.0 mapping.
- b. Some land capability class 4 and class 5-6 areas on theLIST website should be class 6.
 - i. These are highly erosion prone areas; including dry north slopes, with shallow soils and steep inclines.



Figure. Rocky seep inclines that occur over many areas (should be Class 6), but mapped as class 4.

- ii. Some areas exhibit signs of severe soil loss and soil movement, following land clearance, and this has been verified by staff from the University of Tasmania to be a result of land clearing and attempted pasture establishment.
- c. Some land capability class 6 areas on theLIST website should be class 7.
 - i. Rocky heavily forested areas including areas under non-grazing conservation covenant on Mt Murray.
- d. Some land capability class 4 areas on theLIST website should be class 6.
 - i. Sand sheet and ephemeral wetland areas

The report on the *Agricultural land mapping project* appears to have included land Class 6 areas as potential Agricultural Zone areas. Significant areas of Class 7 at Okehampton have not been identified on theLIST, and as such have not been considered in the proposed Agricultural Zone mapping. Furthermore, significant areas of Class 6 were mapped inaccurately as Class 4 to 5. The inclusion of Class 6 areas within the 'potential agricultural zone' appears to be on the basis of suitability for non grazing farming enterprises. For example, on page 8 of the *Agricultural land mapping project*, it states that Class 5 areas used for dryland grazing are possibly suitable for viticultural production. The inclusion of Class 5 (and perhaps Class 6) in the proposed agricultural zone appears to be on basis of speculation on the suitability for other agricultural ventures, which are dependent upon potential access to



water. As mentioned above, no water is available at Okehampton for irrigation. The lack of irrigation water and other factors (such as steep slopes, erosion prone areas and extreme rockyness) make many of our Class 6 areas unsuitable for other agricultural uses. The Grose (1999) *Land Capability Handbook, guidelines for the classification of agricultural land in Tasmania* (page 13) states that native vegetation (including native grassland) should be retained on Class 6 areas and this advice is not consistent with increased agricultural intensification (such as viticulture). On theLIST website, DPIPWE modelling created a map of the suitability of growing areas for table wines. Over our land the 'most suitable' areas for table wine grape production includes the steep, rocky inaccessible heavily wooded coastal cliffs where such ventures are not physically possible and as such I question the accuracy of the state governments modelling and mapping, including that used in the *Agricultural land mapping project* to identify our farm as a proposed Agricultural Zone.

Economic imperatives also undermine our request for Rural Zone application, as the marginal sheep farming tenancy does not provide adequate cash flow in the long term to provide a profitable business, and the lack of irrigation prevents other farming enterprises. The Rural Zone recognises areas with agricultural constraints, so as to enable potential business diversification through use and development, which should apply to our titles.

Kind regards,

Jason Whitehead (*Co-Director Cape Herbert Pty Ltd – Okehampton*)



APPENDIX 1:

Part of MOU between UTas and Cape Herbert Pty Ltd for purpose of enabling use for Research and Development.

MEMORANDUM OF UNDERSTANDING

BETWEEN

UNIVERSITY OF TASMANIA ABN 30 764 374 782 of 2 Churchill Avenue, Sandy Bay in Tasmania, Australia ("**UTAS**");

AND

Cape Herbert Pty Ltd

ABN 44 626 399 353 Level 1, 117 Cimitiere Street, Launceston Tas, 7250 ("**Short name of Entity = Cape Herbert Pty Ltd**");

(each a "**Party**" and together the "**Parties**")

INTRODUCTION

- A. The functions of UTAS include that it will encourage and undertake research, promote and sustain research to international standards of excellence, and foster the commercialisation of intellectual property.
- B. **Cape Herbert Pty Ltd** is committed to providing property owned by it (including locations at Okehampton and specifically the certificates of titles 155176/5 and 155176/2 (together called "the property")) for the purposes of undertaking collaborative research and development, and educational outreach on or at the property).
- C. UTAS and **Cape Herbert Pty Ltd** each have expertise in relation to "research and development and education" including: i) sheep farming, ii) Livestock grazing, iv) cropping, iii) wildlife and vegetation management, iv) fire management, v) water quality and aquatic system health, vi) weed control, and the vii) use of technological innovation.
- D. To advance their shared commitment to research and development and education, UTAS and **Cape Herbert Pty Ltd** intend to collaborate with a view to conducting research on or at the property as set out in this Memorandum of Understanding ("**MOU**").

1. MUTUAL COOPERATION TO FURTHER RESEARCH OPPORTUNITIES

- 1.1. The Parties are committed to holding discussions for the furtherance of research activities in the area of research and development and education.
- 1.2. To this end, the Parties intend to identify areas of research where they can cooperate and to define the contributions they will each make in terms of ideas, intellectual property, facilities, resources, skills and personnel to collaborate on research projects identified by these discussions.
- 1.3. In particular the Parties seek to identify, discuss and define opportunities:
 - (a) to share access to facilities, technology and equipment;
 - (b) for government, industry and university research collaboration;
 - (c) to create links to relevant institutions and centres and other research entities and stakeholders;
 - (d) to secure funding, resources, facilities and/or expertise required for the proposed research; and
 - (e) to access and share information about possible research projects.



Appendix 2:

Principles applied for land capability mapping

The Grose (1999) *Land Capability Handbook, guidelines for the classification of agricultural land in Tasmania* (second edition) has been used to remap land capability at Okehampton (see Figures 1 and 2)

The following land use class definitions are given on page 13 of the handbook:

CLASS 6

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.

CLASS 7

Land with very severe to extreme limitations which make it unsuitable for agricultural use.

The following land use class definitions are given on page 24 of the handbook:

Class 6 land is often very steep, rocky or wetlands. The land may have either a single very severe limitation or a combination of several severe limitations. These limitations make this class of land unsuitable to be cleared for grazing and steeper areas should be left under a vegetative cover, because of the potential erosion hazard and low productivity. Conservation measures including revegetation or retention of existing vegetation cover should be adopted. Class 6 land usually remains under native pasture or other natural vegetation cover and is generally impractical to traverse by a wheeled vehicle due to steep slopes, excessive topographic variability, stoniness or wetness

Class 7 land has a similar set of limitations to those described for Class 6 but the limitations are very severe to extreme, making this land unsuitable for any form of agricultural use.