



1449

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Iain More

Town Planner

City of Launceston

Via email: Iain.More@launceston.tas.gov.au

Dear Iain

Review of Representation 42 Regarding Proposed Agriculture or Rural Zoning in City of Launceston's Local Provisions Schedules of the Tasmanian Planning Scheme

I have undertaken a review of representation 42 (by Ms A. Povey dated 12 September 2021) against proposed Agriculture zoning of areas within the Launceston Municipal area. The representation was submitted in response to the public exhibition period for the proposed City of Launceston Local Provisions Schedule of the Tasmanian Planning Scheme (TPS). I have also considered the key points from the representation made against the methodology behind the Decision Rules used for determining the Agriculture and Rural zone, from the *Agricultural Land Mapping in the City of Launceston 2019* report (RMCG, Ag and Rural mapping project), as well as the rationale behind why the areas identified, by Ms Povey, are proposed to be zoned in their current zoning.

THE REPRESENTATION

This representation expresses concern that there are large areas within the proposed Agriculture Zone that are covered in native vegetation and may have limited, to no agricultural potential and will not be covered by the Natural Asset Code under the TPS. This is of concern for Ms Povey, because it limits the protection these areas have from potential future clearance.

The representation puts forward that either the Rural Zone, or in some cases the Landscape Conservation Zone, would be more appropriate, as both zones will ensure the priority of vegetation is covered under the TPS outlined by the Natural Assets Code. The representation also provides justification for these changes via the Guidelines for the Application of Zones under the TPS.

Two areas currently proposed for the Agriculture zone are identified as examples where an alternate zone could be better suited:

- Turners Marsh – Dilston – Mt Direction – Karoola. The representation identified 40 titles in this area.
- Nunamara – Underwood – Patersonia – White Hills – Blessington. The representation identified 49 titles in this area.

RMCG RESPONSE AGAINST THE ZONING DECISION RULES.

The methodology behind the Decision Rules from the Ag and Rural Mapping Project 2019, are detailed below.

The brief for the 2019 project required analysis of areas and individual titles that were determined to be constrained through the ALMP. The methodology and Decisions Rules also necessitated consideration of adjacent titles and zoning to determine connectivity and consistent land use patterns and zoning patterns. The intention behind the methodology was to ensure an output that was consistent with the Local Provisions Schedules (LPS) for both zones and provide evidence for zoning recommendations which differed from the ALMP. The approach used in the 2019 project was designed to protect the current and future potential productive agricultural capacity of the land (including irrigation water resources).

Area of interests in the 2019 project had one, or some, of the following characteristics-

- Constrained¹
- Anomaly or inconsistent Land use pattern

Areas that were mapped as 'unconstrained' and that didn't have any anomalies present were accepted as suitable for the Agriculture (Ag) Zone regardless of current land use and were not further investigated, as this was outside the brief. Areas that were not mapped in the Tasmanian ALMP, but are currently within the Rural Resource Zone and do not have any anomalies or inconsistencies present were accepted as being appropriate for the Rural Zone and were not further investigated.

The methodology provided for the identification of areas of interest, analysis of the characteristics of each title and the area as a whole and then to determine appropriate zoning. Decision Rules were developed as guidance and to ensure consistency with the Zone Purposes as set out in the Local Provisions Schedules. Further details around the Decision Rules have been provided in Appendix 1.

In our opinion, the representation re-iterates a key issue we identified through the Ag and Rural Mapping Project, 2019. This issue was expanded on in the Discussion section of the Project Report, 2019. Essentially the brief required that areas that were mapped as 'unconstrained' were assumed to be appropriate for the Agriculture Zone and were not to be further assessed. Through the analysis stage of the project, it became apparent that there were large areas of land within the municipality that have been mapped as 'unconstrained' which are zoned Agriculture, but they are located on land that is marginal for productive agricultural operations due to topography, land capability, existing vegetation and/or altitude. Because of this we recommended in the Project Report, 2019, that a second stage assessment be undertaken focussing on titles that were mapped as 'unconstrained' under the ALMP.

We also developed a proposal for Council to consider, where we discussed how we would further delineate the Agriculture Zone, to remove marginal agricultural land. The proposal suggested that to identify areas of interest we would look at the following characteristics:

- Titles owned by commercial forestry companies and/or with a Private Timber Reserve.

¹ Constraints Grades 1, 2a, 2b or 3 in the *Land Potentially Suitable for Agriculture Zone* dataset which has been produced as a key output of the *Tasmanian Ag Land Mapping Project*.

- Titles mapped as having a Land Capability Classification of Class 6 or Class 7.
- Titles that are predominantly vegetated.
- Titles with an altitude of 600m ASL or higher.
- Land Use Mapping, titles mapped with; production native forests, plantation forests, nature conservation, managed resource protection or other minimal use.
- Access to a water resource.

Once the areas were identified the intention was to:

- Further develop project Decision Rules to provide context for the second stage of the project.
- Apply Enterprise Scale analysis where required.
- Consider site characteristic including Land Capability and water resources at the local scale.
- Assess connectivity with similar land use.
- Make recommendation for either Agricultural zoning or Rural zoning for the areas of interest.

As is Council's prerogative, it decided not to proceed with the next step. However, we do agree with the representation, that these areas are marginal for productive agriculture (excluding forestry and mineral resources) and are predominantly covered in native vegetation should be covered by the Natural Assets Code (NAC). As the NAC is not applied in the Agriculture zone, the logical option would be to zone these areas as Rural. Landscape Conservation may also be feasible, however rezoning the land, should be supported by further assessment and more strategic planning. Land within the Landscape Conservation zone is completely removed from the Primary Industry Estate, and it also appears to allow for looser subdivision provisions. As pointed out in the representation, there are triggers within the zoning guidelines to allow for titles mapped as 'unconstrained' to be zoned an alternate zone to 'Agriculture' if it can be demonstrated that the land is not suited to the Agriculture Zone. In our opinion, much of the example areas identified in the representation (as well some other areas) would meet the requirements.

Our recommendation is that further work is done to further delineate the Agriculture Zone in the CoL Municipality to ensure that areas covered by native vegetation, and/or are marginal for agricultural, but were mapped as 'unconstrained' by the ALMP, are correctly zoned under the Tasmanian Planning Scheme.

If you would like to discuss our recommendations further, please don't hesitate to contact me.

Kind regards



Michael Tempest

SENIOR CONSULTANT

REFERENCES

AK Consultants (now RMCG) (2019). Agricultural Land Mapping in the City of Launceston.

City of Launceston (2021). Local Provisions Schedule – Tasmanian Planning Scheme

Department of Justice. (2017) Agricultural Land Mapping Project - Background Report, Tasmanian Government

Appendix 1: Decision rules (from Agricultural Land Mapping in the City of Launceston, 2019)

Decision rules have been based on a conservative approach, with all areas of interest first being considered for their suitability for being included in the Ag Zone before suitability for inclusion in Rural Zone is considered.

For titles being assessed the following characteristics were considered:

- Ag Mapping Assessment potential constraint category
- Size (ha)
- Ownership (individual or with adjacent or nearby titles)
- Ag activities
- Enterprise Suitability
- Irrigation water resources (existing and potential)
- Enterprise scale (lifestyle, hobby, commercial)
- Remoteness - distance to market, labour, contractors and support services
- Natural values
- Existing dwelling
- Onsite reserve
- Adjacent reserve
- Adjacent land use
- Adjacent tenure

These characteristics provide a snapshot of a title's agricultural capacity and potential constraints. This generally provided strong indication as to the zone a title is most suited to. Whilst some of these characteristics were included in the ALMP, the analysis was undertaken as a GIS exercise. In this more detailed analysis local knowledge and context is applied through a case-by-case assessment rather than a GIS analysis. This understanding of local context was of paramount importance in making recommendations for areas where the analysis did not provide a clear indication as to which zone would be more appropriate.

As part of this analysis Enterprise Scale of holdings was assessed. Enterprise Scale analysis and the associated definitions were first developed in 2012 for Northern Tasmania Development in response to a request for clarification of the methodologies and tools and their application in understanding agricultural potential for planning purposes. In this project a range of characteristics including current enterprise activities, Land Capability and irrigation water resources and connectivity were analysed at the holding level enabling titles to be classified into three broad scale characteristic categories; 'commercial', 'hobby' and 'lifestyle'² (see Appendix 2 for further details).

Zoning recommendations have sought to consistently classify adjacent titles based on their characteristics but have also attempted to provide a consistent zoning pattern and avoid individual spot zoned titles where possible.

² Adapted from Ketelaar, A and Armstrong, D. 2012, *Discussions paper – Clarification of the Tools and Methodologies and Their Limitations for Understanding the Use of Agricultural Land in the Northern Region* - written for Northern Tasmania Development.

Table A1-1: Decision Rules

DECISION RULE	RATIONALE
Consistency of land use patterns	Titles that have characteristics that are suitable for either the Rural or Ag Zone (based on State – Zone Application Framework Criteria) will be zoned based on surrounding titles with the chief aim of providing a consistent land use pattern.
Minimum of three titles (where feasible) to make a zone	To avoid spot zoning of individual titles it was determined that a minimum of 3 titles should be investigated (depending on size and scale of titles) for a zone. For planning purposes, a consistent zoning pattern is preferable to fragmented zoning patterns.
Plantation or native vegetation can be zoned either Ag or Rural	Resource development (forestry, mining) is “no permit required” in both the Rural & Ag Zone under certain conditions. However, the Ag Zone has stricter provisions on resource development activities which in some cases require discretionary approval or prohibit the use all together. Zoning will aim to reflect a consistent land use pattern.
Prime Agricultural land may be considered for alternate zoning from Ag Zone if significantly constrained	Prime Agricultural Land (Land Capability Class 1, 2, 3) as a default rule has been included in the Ag Zone. However, there may be instances where this land is significantly constrained by adjacent land use and localised characteristics. In these instances, alternate zoning will be considered.
Adjacent titles owned by same entity to be included in the same zone when possible	Adjacent titles under same ownership are most likely farmed in conjunction. By zoning these titles under the same zone land holders will have consistency of Planning Scheme permitted uses. However, current land use practices will also be considered as there may be instances where titles under same ownership are utilised for differing land uses which are more appropriately zoned differently. This will also potentially be the case for larger titles where split zoning might be appropriate. Plantations on land farmed in conjunction with mixed farming operations are more likely to be converted to an alternative agricultural use. Hence if the majority of the holding is in the Ag zone, then the preference would be for the title supporting plantation to also be in the Ag zone.
Split zoning of titles to only occur in exceptional circumstances	Split zoning is only to occur on titles that have significantly divergent agricultural potential. This will generally only occur on larger titles.
Individual or small clusters of mapped potentially constrained titles to be zoned Ag if surrounding adjacent land use has commercial scale characteristics or is mapped as Unconstrained in the ALMP.	The purpose of the Ag Zone is to identify and protect Tasmania’s agricultural land. By zoning adjacent potentially constrained titles as Ag, these titles will ensure the potential proposed future uses that could further constrain ag activities will be limited.

DECISION RULE	RATIONALE
<p>Single titles that were unmapped by the ALMP that are surrounded by unconstrained titles will be mapped as Agriculture unless land tenure is not Private Freehold.</p>	<p>Individual titles that were not mapped as part of the ALMP are assumed to have low agricultural potential. However, to avoid spot zoning of individual titles and to provide a consistent zoning pattern, these titles will be zoned in the Ag zone if all surrounding titles are going to be zoned Ag. The exception to this rule is State Forest that is managed by Sustainable Timbers Tasmania (formerly Forestry Tasmania).</p>
<p>Agricultural enterprises with commercial scale characteristics to go into Ag Zone unless significantly constrained by surrounding uses.</p>	<p>The purpose of the Ag Zone is to identify and protect Tasmania's agricultural land. Titles with commercial scale characteristics are to be prioritised for the Ag Zone to provide optimal protection for their productive capacity. However, in a situation where the commercial scale characteristics are anomalous to surrounding land uses and zoning, and the commercial activity has severely limited potential for expansion, there is potential that an alternate zone will be more appropriate to ensure zoning pattern consistency.</p>
<p>If there are significant existing irrigation water resources or potential for developing irrigation water resources, the preferred zoning for the area of interest is Ag.</p>	<p>Irrigation water resources are important to agricultural productivity, diversifying and risk management. Although the Ag mapping project erred on the side of caution for retaining irrigation water resources in the Ag zone, this factor needs to be reconsidered to include potential for on-farm storage when examining constrained areas of interest.</p>
<p>Titles utilised for resource processing will be zoned Rural where appropriate.</p>	<p>Resource processing is a permitted use in the Rural Zone, but is discretionary in the Ag Zone. By zoning as Rural, land owners will have greater certainty relating to resource processing than would be the case if zoned Ag. However, location, size and surrounding land uses will also be considered to ensure a consistent zoning pattern that reflects the predominant use.</p>
<p>Titles with significant natural values (including karst) will be recommended for an alternate zone to Ag, if the natural values places constraints on the agricultural potential of the land.</p>	<p>The purpose of the Ag Zone is to prioritise the protection of Ag land. However, if it is deemed that the future ag potential of an area is constrained due existing natural values, then an alternate zone might be more appropriate.</p>
<p>If an alternate zone to Ag or Rural is considered more appropriate for an area, then the area will be flagged for Council to further consider</p>	<p>There may be instances where an alternate zone to Ag or Rural is considered more appropriate due to existing land use, surrounding land use, zoning and constraints. In these instances, the area will be flagged for Council to further consider alternate Zones.</p>

This report has been prepared by:

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