



18 February 2026

CEO

Kingborough Council

15 Channel Hwy

Kingston TAS 7050

**RE: proposed new garage at 45 Cox Drive, Dennes Point**

Dear Sir,

I act for the proponent in addressing Scheme provisions and the potential impacts on natural values of a proposed new garage and associated access works at 45 Cox Drive, Dennes Point.

The subject land is +/- 1522 m<sup>2</sup> in a single title located on the northern side of Cox Drive at Dennes Point, approximately 950 m south of the Dennes Point Hall.

The lot is zoned Low Density Residential. The whole property is subject to the Bushfire Prone Areas overlay and approximately half the property is subject to the Biodiversity Protection Area overlay.

The property has an altitudinal range of 20 – 30 m above sea level and a northwesterly aspect, with slopes typically around 9°.

There is an existing dwelling located slightly east of the centre of the lot, which is serviced by a gravel driveway +/- 3 m wide running from the Cox Drive frontage in the southeastern corner of the lot to the rear of the dwelling.

The lot retains areas of remnant native vegetation in the form of remnant mature eucalypts, tall native shrubs along the road frontage, eucalypt saplings and areas of native groundcover vegetation.

The proposal is to construct a garage in the southwestern corner of the lot and an associated new section of driveway which will improve the accessibility, onsite parking and onsite turning of the property access (see the Site plan by Isle Drafting at Figure 1).

The proposed new garage will be located more than six (6) metres from the dwelling and as such, does not trigger the need for a Bushfire Hazard Assessment.

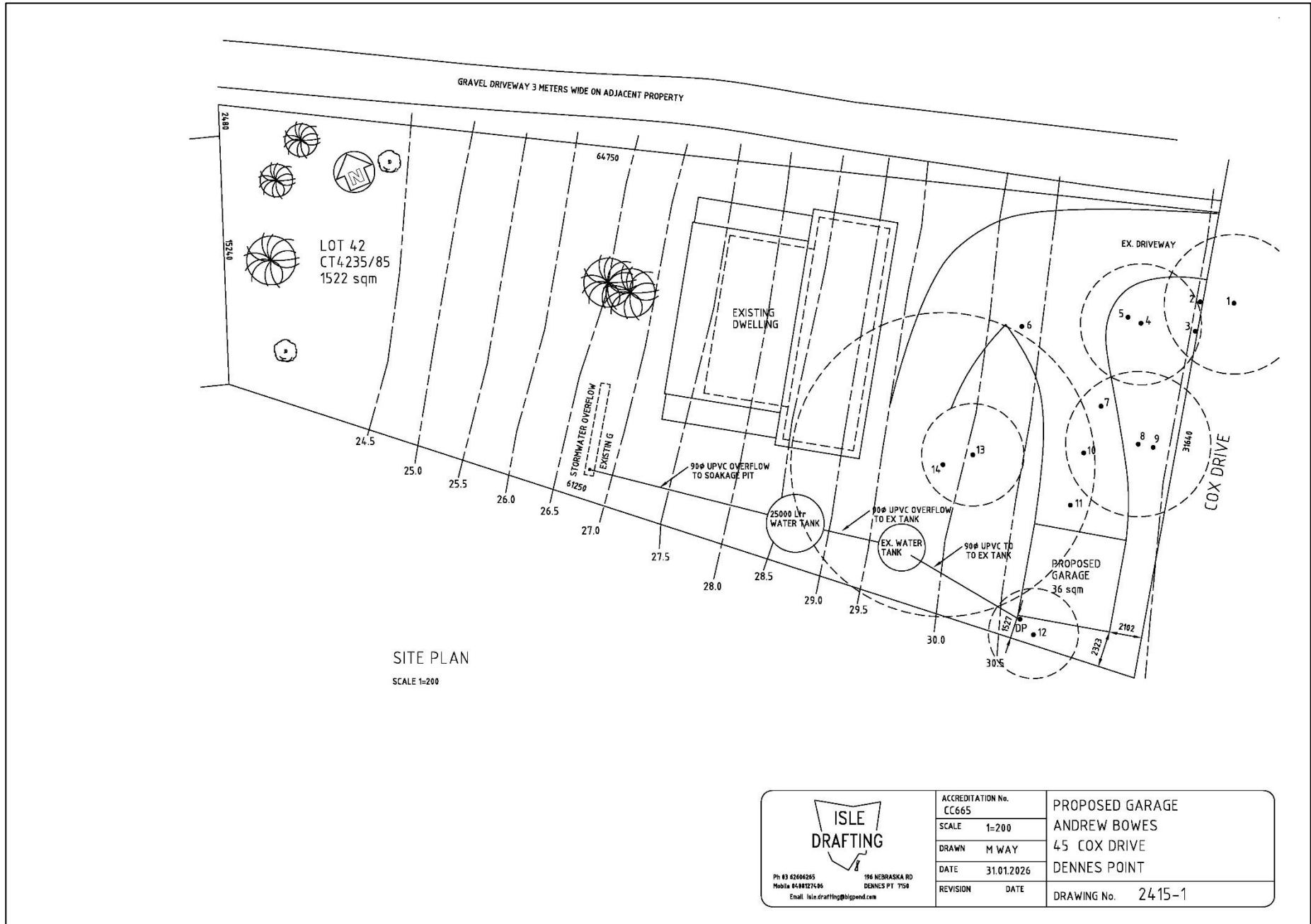


Figure 1. Site plan by Isle Drafting (January 2026)

## 1. Native vegetation

The area in the southwest of the lot impacted by the proposed new garage and associated access works is +/- 390 m<sup>2</sup> in size and is occupied by native vegetation with a managed understorey.

At a larger scale this vegetation would be mapped as a small area of degraded black peppermint (*E. amygdalina*) coastal forest / woodland (DAC), but the patch is too small to map as a vegetation community given the residential context and managed understorey.

Except for the two mature white gums (*Eucalyptus viminalis*) in the area, native vegetation impacted by the proposal constitutes a low priority biodiversity value under Table E10.1 of the Scheme.

Illustrative photos of the site are provided in Figures 2 – 8 below.



Figure 2. Existing crossover from Cox Drive at centre, with adjacent mature white gum at left (Tree # 1)

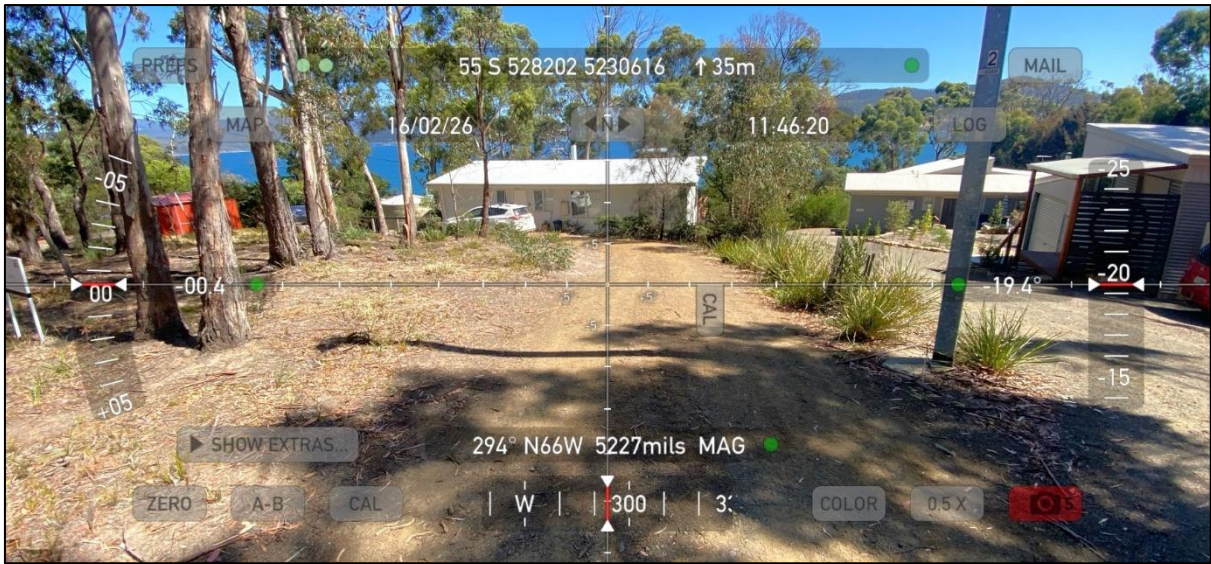


Figure 3. Existing driveway, with the closest mature trees at left being Trees # 2, 3 & 4



Figure 4. Existing driveway termination and parking, with large mature white gum at centre left (Tree # 14)



Figure 5. Vegetation impacted by the start of the proposed new section of driveway to access the garage and provide onsite turning capacity



Figure 6. Vegetation impacted by the end of the proposed new section of driveway and the garage, with the proposed garage site at centre and Tree # 14 at right; Tree # 11 at centre left to be removed for new section of driveway; existing 3 x 3 garden shed and water tank at right to be removed



Figure 7. Screening vegetation along Cox Drive to be retained, including Tree # 8 at centre right



Figure 8. The proposed garage site viewed from the north, with the existing 3 x 3 garden shed at right to be removed

## 2. Threatened flora habitat

No threatened flora species listed under the Tasmanian *Threatened species Protection Act 1995* (TTSPA) or the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBCA) were recorded during the brief site survey.

Nine threatened flora species have been recorded within 5 km of the site (Natural Values Atlas [NVA], February 2026). Based on habitat preferences and the disturbance history of the site, it is unlikely that the subject land provides suitable habitat for any of these species.

## 3. Threatened fauna habitat

No threatened fauna species listed under the TTSPA or the EPBCA were recorded during the brief site survey.

Eleven terrestrial threatened fauna species have been recorded within 5 km of the site (NVA, February 2026) and the property and surrounds provide suitable / potential foraging habitat for five of these species:

- grey goshawk (*Accipiter novaehollandiae*) [endangered\* / not listed],
- eastern quoll (*Dasyurus viverrinus*) [not listed\* / endangered #],
- forty-spotted pardalote (*Pardalotus quadragintus*) [endangered\* / endangered #],
- eastern barred bandicoot (*Perameles gunnii*) [not listed\* / vulnerable #], and
- masked owl (*Tyto novaehollandiae*) [endangered\* / vulnerable #].

(\* TTSPA, # EPBCA)

It is possible that wedge tailed eagles (*Aquila audax fleayi*) or white bellied sea eagles (*Haliaeetus leucogaster*) may visit the site on occasion, but the list above has been limited to those species which are more likely to make use of a residential lot, even if use is only occasional and opportunistic.

The closest recorded raptor nest is 1.4 km to the east on the coastal margin of Bull Bay (NVA, 2026).

All the threatened fauna species which could potentially use the site except for forty-spotted pardalotes are relatively wide-ranging and may use the property at least occasionally for foraging and denning / roosting. However, the small area of potential habitat impacted by this proposed development is unlikely on its own to constitute a significant area of habitat for any of these species due to scale, condition and nearby human disturbance.

Endangered forty-spotted pardalotes rely on white gums (*E. viminalis*) for foraging and nesting habitat. Prevailing conservation advice in relation to the species supports retention of every mature white gum (DBH of 250 mm or more) within their known range.

Bruny Island is a stronghold for the forty-spotted pardalote, birds have been recorded foraging in white gums within 100 m of the site (NVA, 2026), and it is probable that birds use the two white gums on the property.

#### ***4. Mature Trees***

There are ten (10) mature trees (DBH of 250 mm or more) within 15 m of proposed works, including two white gums (*E. viminalis*) which are large enough to meet Council's working definition of a 'high conservation value tree.'

The two white gums constitute very high biodiversity values under Table E10.1 of the Scheme, while the other mature trees in the vicinity constitute low priority biodiversity values.

Consistent with Council's Guidelines for a Tree Plan (v2.1, 5 April 2024), all trees with a diameter at breast height (DBH) of 250 mm or more within 15 m of proposed works have been identified and located approximately using a Trimble DA2 DGPS unit, allowing accuracy to less than 1 m.

All trees recorded are listed in Table 1 and mapped in Figure 9 on the following page. Table 1 also details:

- an individual identification number for each tree recorded (see note below),
- Nominal Root Zones (NRZs) for each tree, calculated in accordance with The Australian Standard Protection of Trees on Development Sites AS 4970-2025,
- whether the trees meet Council's working definition of a high conservation value tree (HCVT), and
- whether the trees are proposed to be retained or removed.

*Note: The siteplan prepared by Isle Drafting identifies more trees at the site than are required to be addressed under the Guidelines for a Tree Plan. The numbering on the Site plan has been adopted here to avoid any ongoing confusion.*

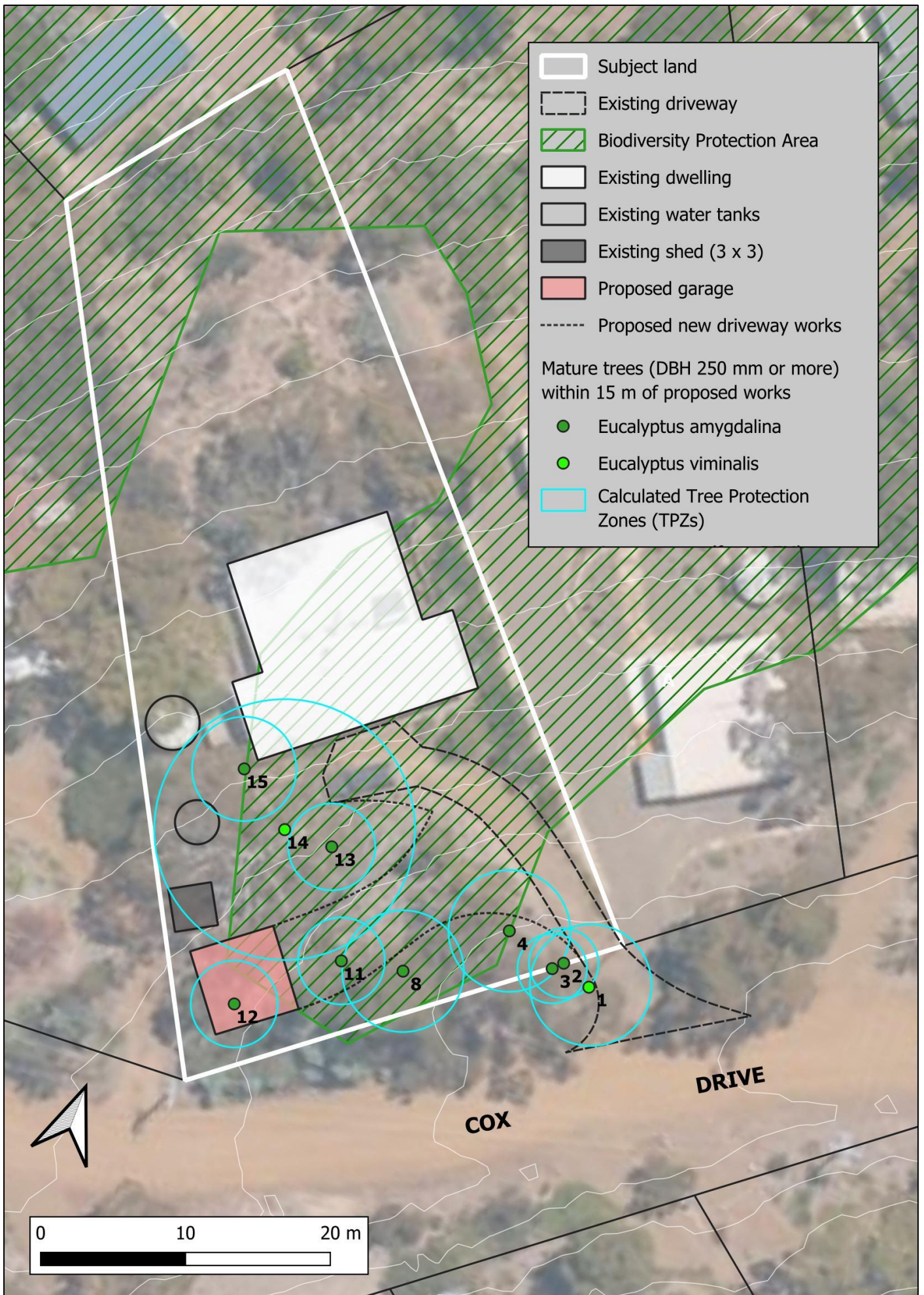


Figure 9. Mature trees (DBH of 250 mm or more) within 15 m of proposed works

Table 1 – Mature trees (DBH 250 mm or more) within 15 m of proposed works

Tree#	Species	DBH * (m)	NRZ # (m)	% NRZ impacted by new works	HCVT (Y/N)	Action	Comments
1	<i>Eucalyptus viminalis</i>	0.35	4.2	1.3	Y	Retain	
2	<i>Eucalyptus amygdalina</i>	0.20	2.4		N	Retain	
3	<i>Eucalyptus amygdalina</i>	0.20	2.4		N	Retain	
4	<i>Eucalyptus amygdalina</i>	0.35	4.2		N	Retain	Bifurcating at breast height
8	<i>Eucalyptus amygdalina</i>	0.35	4.2		N	Retain	Bifurcating at breast height
11	<i>Eucalyptus amygdalina</i>	0.25	3.0		N	Remove	
12	<i>Eucalyptus amygdalina</i>	0.25	3.0		N	Remove	
13	<i>Eucalyptus amygdalina</i>	0.25	3.0		N	Retain	
14	<i>Eucalyptus viminalis</i>	0.75	9.0	11.3	Y	Retain	
15	<i>Eucalyptus amygdalina</i>	0.30	3.6		N	Retain	

\* Rounded to the nearest 50 mm

# NRZ = Nominal Root Zone.

## 5. Weeds and pests

No species listed as a pest species / declared weed under the *Tasmanian Biosecurity Regulations 2022* or recognised environmental weed was recorded during the brief site survey.

Weed species located along Cox Drive that could establish at the site include:

- boneseed (*Chrysanthemoides monilifera*) – declared weed and recognised environmental weed,
- bluebell creeper (*Billardieri heterophylla*) - recognised environmental weed,
- monterey pine (*Pinus radiata*) - recognised environmental weed, and
- sweet pittosporum (*Pittosporum undulatum*) – recognised environmental weed.

For information on these weed species and control methods, see:

<https://nre.tas.gov.au/invasive-species/weeds/weeds-index>

Weed seeds and fungal diseases such as root-rot pathogen (*Phytophthora cinnamomi*) and chytrid frog disease (*Batrachochytrium dendrobatidis*) can easily be transported between sites on boots, equipment, vehicle tyres, introduced soil or other foreign materials.

Physical disturbance associated with development works could potentially introduce weeds or disease or spread weeds and disease from the site to other areas. This risk can be minimised through appropriate vehicle and equipment hygiene and management controls. All vehicles and machinery entering the site should adhere to the Weed and Disease Planning and Hygiene Guidelines (NRE, 2015):

<https://nre.tas.gov.au/invasive-species/weeds/weed-hygiene/weed-and-disease-planning-and-hygiene-guidelines>.

Key management controls to prevent the spread of weeds and disease include the following:

- all contractors engaged in development works should be required to thoroughly wash-down vehicles and equipment before coming on-site and after leaving the site,
- vehicles, equipment and materials should not be parked or stored within areas of native vegetation,
- during the conduct of works all vehicles should be restricted to driving and parking on hardstand areas and should not drive across areas of disturbed soil, and

- during and post-development, any areas of soil disturbance or introduced foreign materials (eg soil, compost or mulch) should be monitored regularly by the owners for the presence of any environmental weeds and any infestations should be treated as soon as practicable after discovery.

In addition to vehicle hygiene, the movement of soil around the site and the import and export of soil should adhere to the following broad guidelines:

- all gravel, fill and topsoil brought to the site should be sourced from certified weed free suppliers and quarries in accordance with Australian Standard AS4419 Soil for Landscaping and Garden Use to minimise the risk of weed seed being introduced.

## 6. *Impact of the proposal on native vegetation*

The definition of native vegetation under the Scheme is very broad and taken as read means every individual native plant that has not been deliberately planted. As such, it is inevitable that some native vegetation at this site is impacted by the proposal.

As illustrated in Figures 2 – 8 on pages 3 – 5 and in Figure 9 on page 8, the proposal will have the following impacts on native vegetation.

- two mature black peppermints (Tree # 11 and Tree # 12) and several immature trees and saplings will need to be cleared for construction of the proposed new section of driveway,
- proposed works for the new driveway will intrude into the NRZs of two high conservation value trees (new encroachment into 1.3 % of the NRZ of Tree # 1 and into 11.3 % of the NRZ of Tree # 14), and
- individual native plants in the groundcover will need to be cleared for the proposed new section of driveway and the garage, comprising mainly sagg (*Lomandra longifolia*), bracken (*Pteridium esculentum*) and native grasses.

## 7. Scheme provisions

### 12.4 Development Standards for Buildings and Works

#### 12.4.1 Non-dwelling development

**Objective:** To ensure that all non-dwelling development is sympathetic to the form and scale of residential development and does not significantly affect the amenity of nearby residential properties.

**A1** Non-dwelling development must comply with the following acceptable solutions as if it were a dwelling:

- (a) 12.4.2 A1 and A3;
- (b) 12.4.3 A1 (a) and (b);
- (c) 12.4.7 A1, and
- (d) 12.4.2 A4.

**P1** Non-dwelling development must comply with the related performance criteria as if it were a dwelling.

**A2** Non-residential garages and carports must comply with all of the following acceptable solutions as if they were ancillary to a dwelling:

- (a) 12.4.2 A2;
- (b) 12.4.5 A1.

**P2** Non-dwelling development must comply with the related performance criteria as if they were ancillary to a dwelling.

#### 12.4.2 P1 and P2

The options for siting a garage on the subject land are constrained by the location of the existing dwelling and driveway, and the location of the large mature white gum near the dwelling (Tree # 14). The proposed garage site is a response to those physical constraints and planning objectives.

The two options which minimise potential impacts on Tree # 14 are to:

- A. Site the garage along the northern boundary between the dwelling and the crossover from Cox Drive, or
- B. Site the garage as proposed in the southwestern corner of the lot.

Location A is undesirable because:

- it would necessitate a small setback to the joint boundary with 47 Cox Drive where there is only a small separation to an adjoining dwelling (+/- 5 m) and as such, would not meet the stated objective of not significantly affecting the amenity of nearby residential properties,
- it would cannibalise the existing driveway access to the rear of the dwelling,
- it would be very visually prominent relative to the existing dwelling, and
- it would impede passive surveillance between the dwelling and the street.

Location B (as proposed) is more desirable because:

- it ensures the proposed garage is less visually prominent than the existing dwelling on the site,
- it has regard to the landscape / streetscape and provides for existing screening vegetation along the Cox Drive frontage to minimise any visual impacts,
- it allows for parking and turning at the site to be improved significantly without impacting the existing driveway access to the rear of the dwelling,
- it maximises separation between the proposed garage and adjoining dwellings, thereby minimising the impact on the amenity of nearby residential properties, and
- it allows for passive surveillance between the dwelling and the street.

#### 12.4.2 A3 / P3 – not applicable

#### 12.4.2 P4

Having regard to the particular requirements of the proposed development and the physical site constraints, the proposed building and associated access works have been designed and located to minimise any impacts on trees of high conservation value.

Consistent with the requirements of Council's Guidelines for a Tree Plan (v2.1, 5 April 2024), the guidance of an Arborist will be sought to ensure the proposed works minimise any impacts on the two high conservation value trees.

**12.4.3 A1** The overall site coverage of the existing dwelling and the proposed garage is less than 25 % and more than 25 % of the site will remain free of impervious surfaces.

**12.4.5 A1** The proposed garage will not have any width of openings facing the primary frontage.

## E10.0 Biodiversity Code

Approximately half of the site is subject to the Biodiversity Protection Area overlay but the overlay does not match the distribution of developed land / remnant native vegetation on the lot. The overlay covers most of the area impacted by the proposal.

As outlined above, most of the native vegetation impacted by the proposal constitutes a low priority biodiversity value under Table E10.1 of the Scheme, while the two mature white gums (Tree # 1 and Tree # 14) constitute very high priority biodiversity values.

### E10.7.1 Building and Works

**P1** Clearance and conversion or disturbance must satisfy the following:

If **low or high** priority biodiversity values:

- (i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development,

**Response:** having regard to the particular requirements of the proposed development and the physical site constraints, the proposed building and associated access works have been designed and located to minimise any impacts on native vegetation.

- (ii) impacts resulting from future bushfire hazard management measures are minimised as far as reasonably practicable through appropriate siting and fire-resistant design of habitable buildings,

**Response:** not applicable – the proposed garage is more than 6 m from the dwelling, and no bushfire hazard management measures are triggered.

If **high** priority biodiversity values (Tree # 1 and Tree # 14):

- (iii) remaining high priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values,

**Response:** it is not proposed to remove or harm either of the high conservation value trees and current best practice mitigation strategies and ongoing management measures will be implemented as guided by an Arborist Report.

- (iv) special circumstances exist,

**Response:** the development is located on an existing title within the Low Density Residential Zone and is for an outbuilding associated with a single dwelling.

- (v) residual adverse impacts on high priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the use of Biodiversity Offsets in the local planning approval process, Southern Tasmanian Councils Authority, April 2013 and Kingborough Biodiversity Offset Policy 6.10, November 2023,

**Response:** no residual impacts on high priority biodiversity values are anticipated.

- (vi) clearance and conversion or disturbance will not substantially detract from the conservation status of the biodiversity value(s) in the vicinity of the development.

**Response:** with appropriate development controls guided by an Arborist Report, the minor intrusion into the NRZs of the two mature white gums is unlikely to adversely impact the trees and will have no impact on the conservation status of the biodiversity value(s) in the vicinity of the development.

## ***8. Disclaimer***

The advice and conclusions in this report rely upon the location of existing and proposed infrastructure relative to property boundaries and vegetation communities. In mapping the relative positions of these features, I have relied to some extent upon the Site plan provided and upon rectified aerial imagery.

The accuracy of these reference sources cannot be guaranteed by this author. Where this plan indicates that vegetation and trees are to be retained, it is assumed that this can be achieved within the constraints of the site.

## ***9. References and Data sources:***

- theLIST 2026,
- Natural Values Atlas (NRE, 2026),
- Site plan by Isle Drafting (31 January 2026)

Please do not hesitate to contact me directly if you require any further information regarding this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jim Mulcahy', with a long, sweeping horizontal stroke extending to the right.

Jim Mulcahy (BSc, GradDipEnvSt, BFP-159)

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