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Woolcott Land Services
ATTENTION: Michelle Schleiger
10 Goodman Court
Invermay TAS 7248

8 April 2026

RE: 10 Edward Street, Gordon (PID 5787025; C.T. 33898/1)
Proposed Development/Use – Single Residential Dwelling (DA-2026-62)

Preamble

Environmental Consulting Options Tasmania (ECO*tas*) has been engaged by Woolcott Land Services to provide a natural values assessment of the private freehold title at 10 Edward Street, Gordon (PID 5787025; C.T. 33898/1) proposed for development (single residential dwelling) to be considered under the provisions of the *Kingborough Interim Planning Scheme 2015*, now known as DA-2026-62, subject to a request for further information dated 17 Mar. 2026 (relevant sections reviewed at the end of this statement).

The present statement is intended to address the relevant provisions of the *Kingborough Interim Planning Scheme 2015*, with particular reference to the Biodiversity Code (and other matters raised in the request for further information).

Zoning and overlays

At present, the title (Figures 1-3) is zoned as Low Density Residential (Figure 4) pursuant to the *Kingborough Interim Planning Scheme 2015*. It is wholly subject to the Biodiversity Protection Area (BPA) overlay (Figure 5a). Note that part of the eastern part of the title is subject to the Waterway and Coastal Protection Area overlay (Figure 5b) but this is wholly outside any part proposed for development so is not further considered. As an aside, under the advertised *Tasmanian Planning Scheme – Kingborough Local Provisions Schedule*, the title is proposed to remain zoned as Rural Living Zone B, with only part subject to the Priority Vegetation Area (notably the parts apparently covered by trees) and the same extent of the Waterway and Coastal Protection Area overlay.

Land use proposal

The proposal is for a single residential dwelling with associated hazard management area (Plates 1-4). Access (Plates 5 & 6) is proposed direct off Edward Street (refer plan at Figure 6).

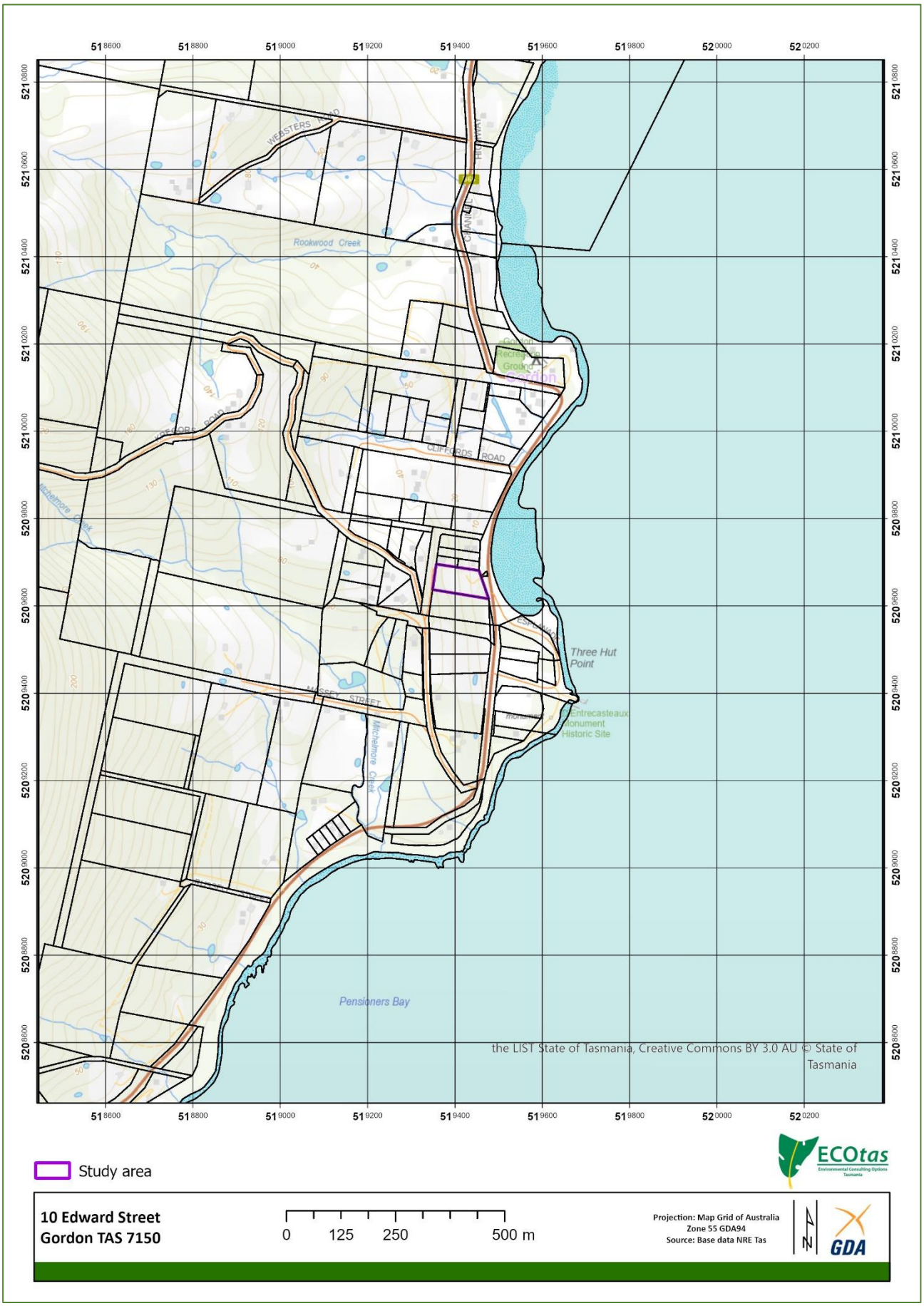

Figure 1. General location of subject title

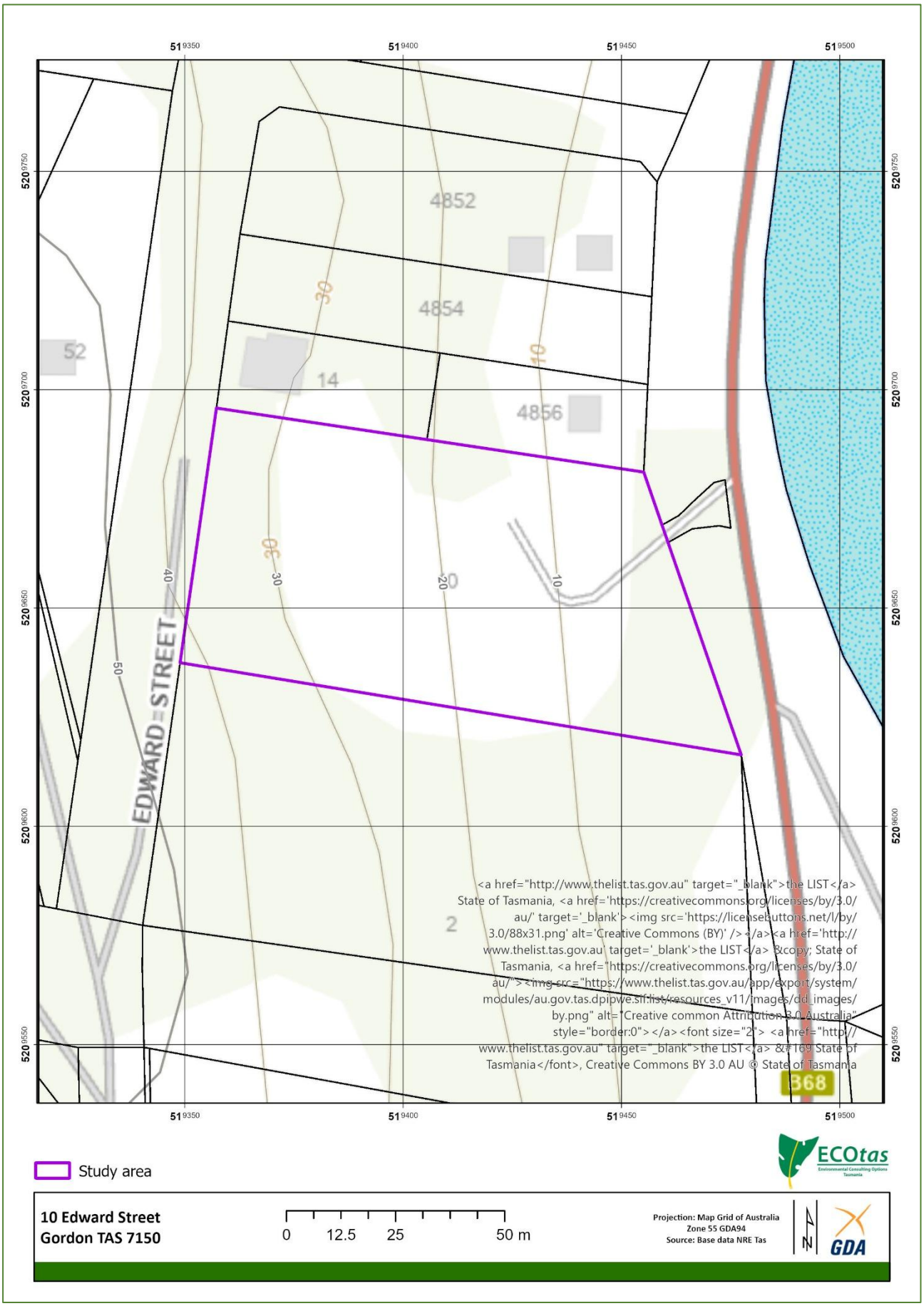

Figure 2. Detailed location of subject title

Figure 3. Detailed location of subject title showing recent aerial imagery

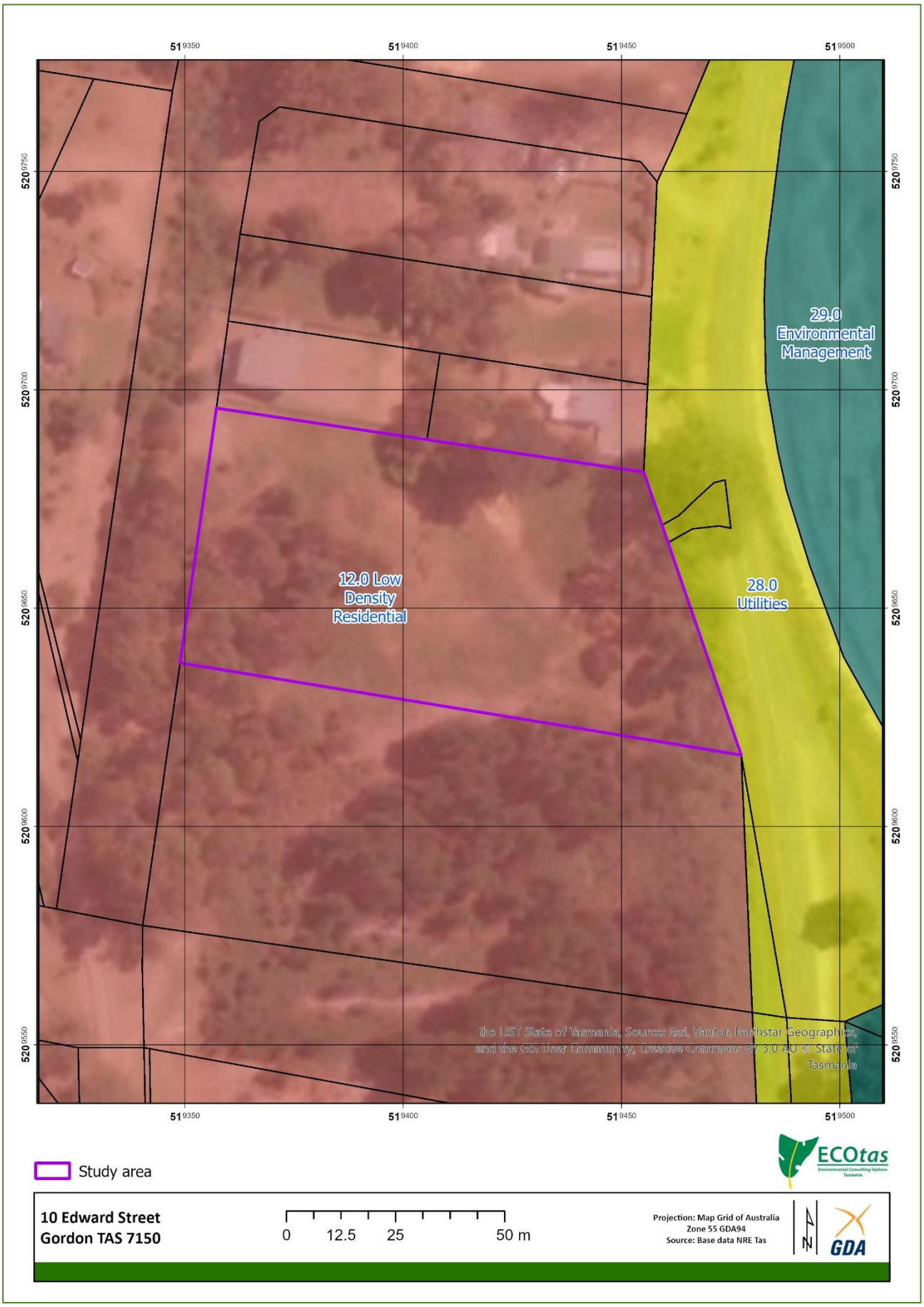

Figure 4. Current zoning of subject title pursuant to *Kingborough Interim Planning Scheme 2015*

Figure 5a. Current extent of Biodiversity Protection Area within and surrounding subject title pursuant to *Kingborough Interim Planning Scheme 2015*

Figure 5b. Current extent of Waterway and Coastal Protection Area outside subject title pursuant to *Kingborough Interim Planning Scheme 2015*

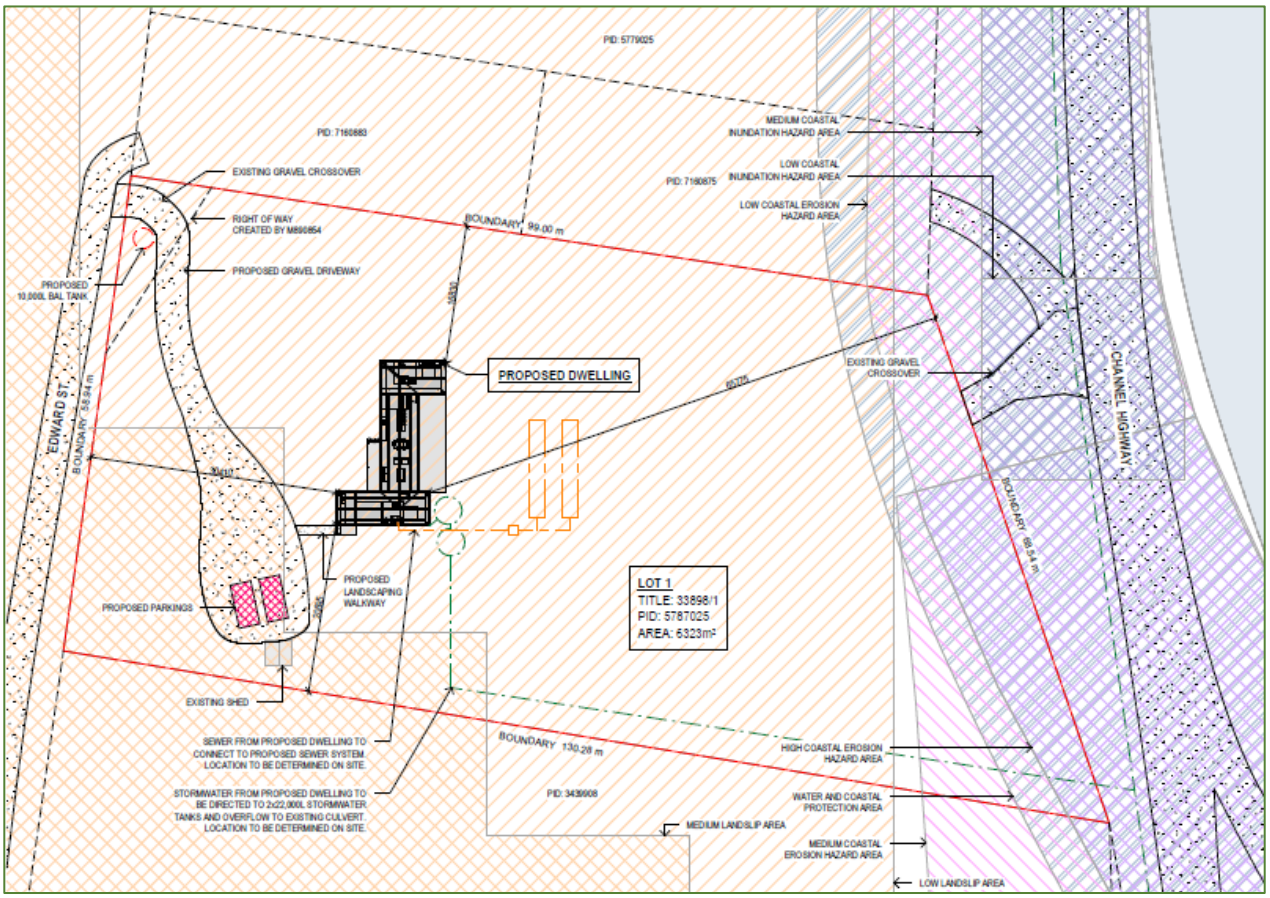

Figure 6. Site plan showing relative location of project elements including access [source: Engineering Plus, Drawing 2025-332, included for indicative purposes only]

Assessment

Database checks

LISTmap was examined to determined existing vegetation mapping and known sites for threatened flora and fauna. Database reports were produced under DNRET's *Natural Values Atlas* (DNRET 2026), the Forest Practices Authority's *Biodiversity Values Database* (FPA 2026) and the Commonwealth *Protected Matters Report* (CofA 2026) to support the assessment process (all appended for reference).

Site assessment

The site was attended by Mark & James Wapstra (ECO*tas*) on 30 Mar. 2026. The assessment included walking the whole of the title including all boundaries, and characterising individual trees. Trees were identified to species and measured using a diameter tape (to nearest centimetre, measured at ca. 1.3-1.4 m above natural ground level) in conjunction with Woolcott Land Services (such that the location of all trees assessed is precise). Note that trees close to the Channel Highway that will be unaffected by the development proposal were assessed for completeness. Trees along the verges of Edward Street (i.e. the access) were not characterised as no impact is anticipated (existing well-formed gravel road to be used with no need for upgrade – already used for access other titles at the end of the gravel road).

Findings

Overview

The site is on a generally east-facing moderate slope between ca. 5-40 m a.s.l. The whole title has been subject to clearing and is now almost wholly best classified as a weed infestation with some scattered trees (refer Figure 7, Plates 1-10).

Plates 1-4. Views of indicative location of proposed residential dwelling: clockwise from top left – looking north, east, south and west

Plates 5 & 6. Existing well-formed access along Edward Street

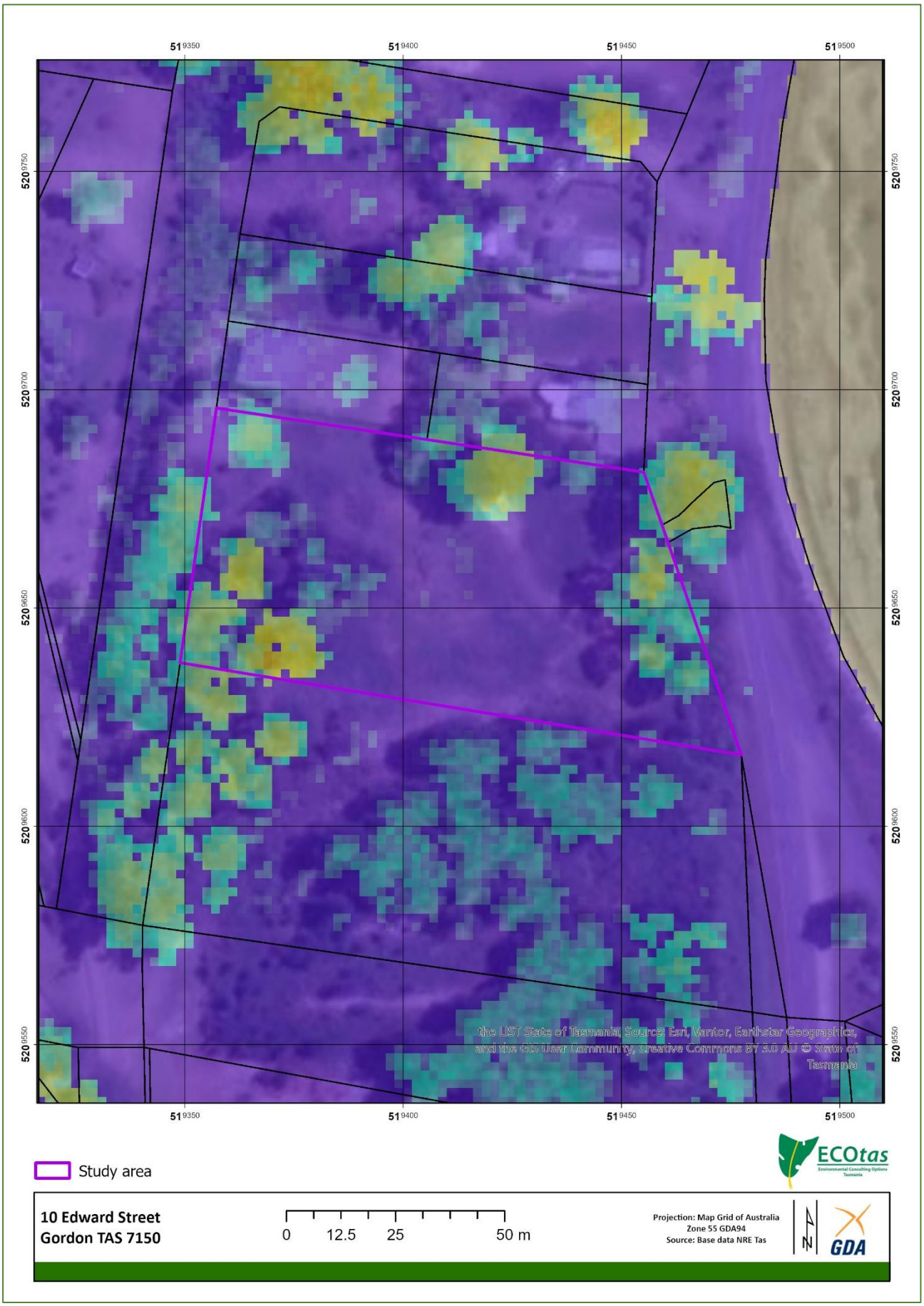

Figure 7. Tree canopy modelling for subject title and surrounds


Plates 7 & 8. Views showing extent of weeds within title


Plates 9 & 10. Views showing remnant trees on site: LHS – blue gums near Channel Highway underlain by gorse and blackberry; RHS – stringybarks with exotic shrubs and grass near top of title

Vegetation types

Existing TASVEG mapping is unhelpful in providing any useful indication on the appropriate classification of the site. TASVEG 3.0 & 4.0, 5.0 and LIVE (Figures 8 & 9) map most of the title and broader surrounds as agricultural land (TASVEG code: FAL/FAG). A small section of *Eucalyptus obliqua* dry forest (TASVEG code: DOB) has been (almost) correctly identified in the title's southwest and a small section of *Leptospermum scoparium* heathland and scrub (TASVEG code: SLS) is incorrectly identified in the title's northwest.

Site assessment indicated that the title is most appropriately almost wholly mapped as a modified land mapping unit in the TASVEG system of classification (Plates 1-4 & 7-10; Figure 10), with a small section of DOB identified in the west of title. Most of the title has been mapped as weed infestation (TASVEG code: FWU) with a small section of extra-urban miscellaneous (TASVEG code: FUM) in the title's northwest, which reflects the end of the gravel road and existing informal access to this part of the title.

While it is recognised that the site does support "native vegetation" within the strict definition of the *Kingborough Interim Planning Scheme 2015* (viz. "plants that are indigenous to Tasmania including trees, shrubs, herbs and grasses that have not been planted for domestic or commercial purposes"), most of the site does not support vegetation that is reasonably classified as a native vegetation community.

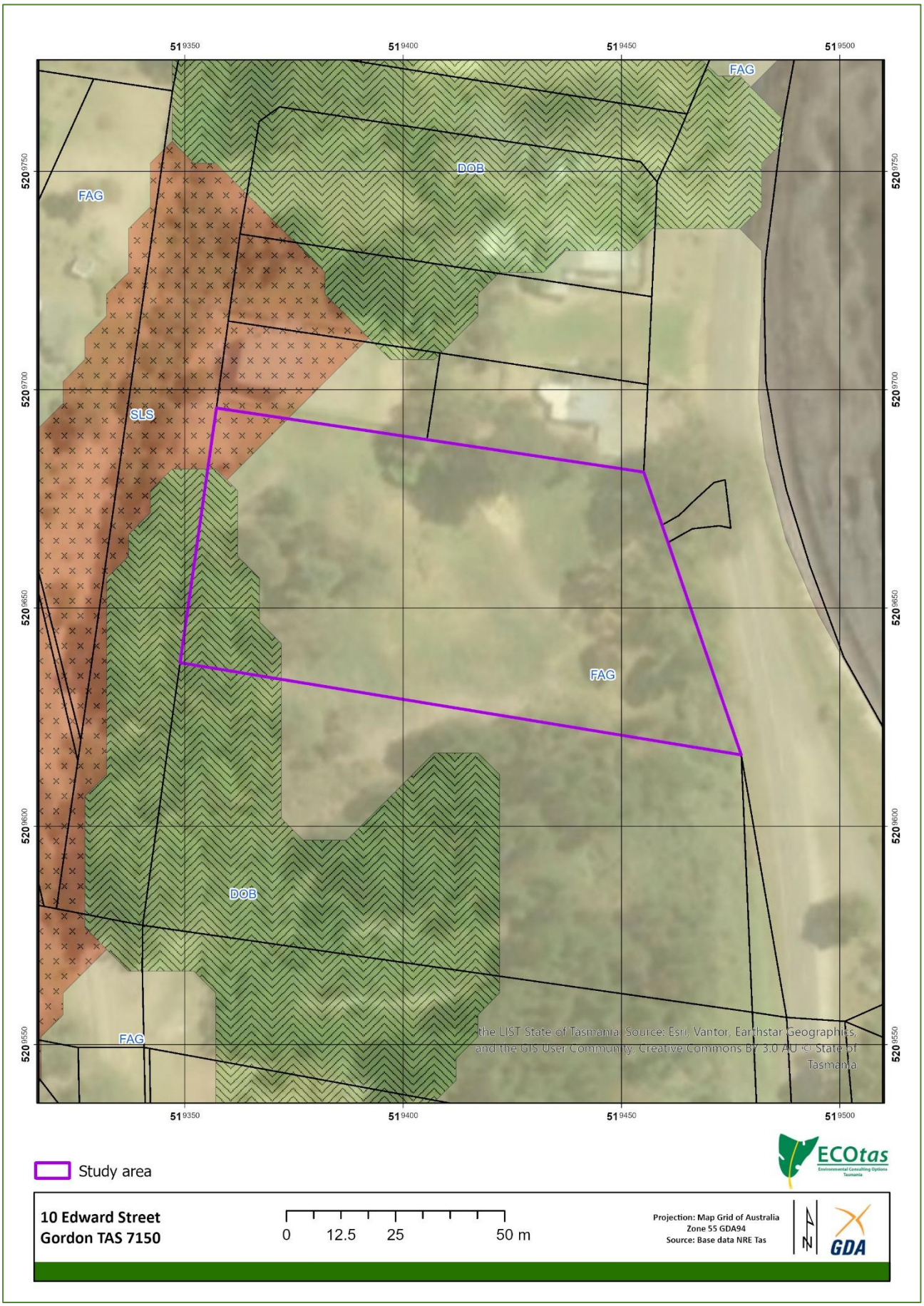

Figure 8. Existing TASVEG 3.0/4.0 mapping for subject title and surrounds (refer to text for codes)

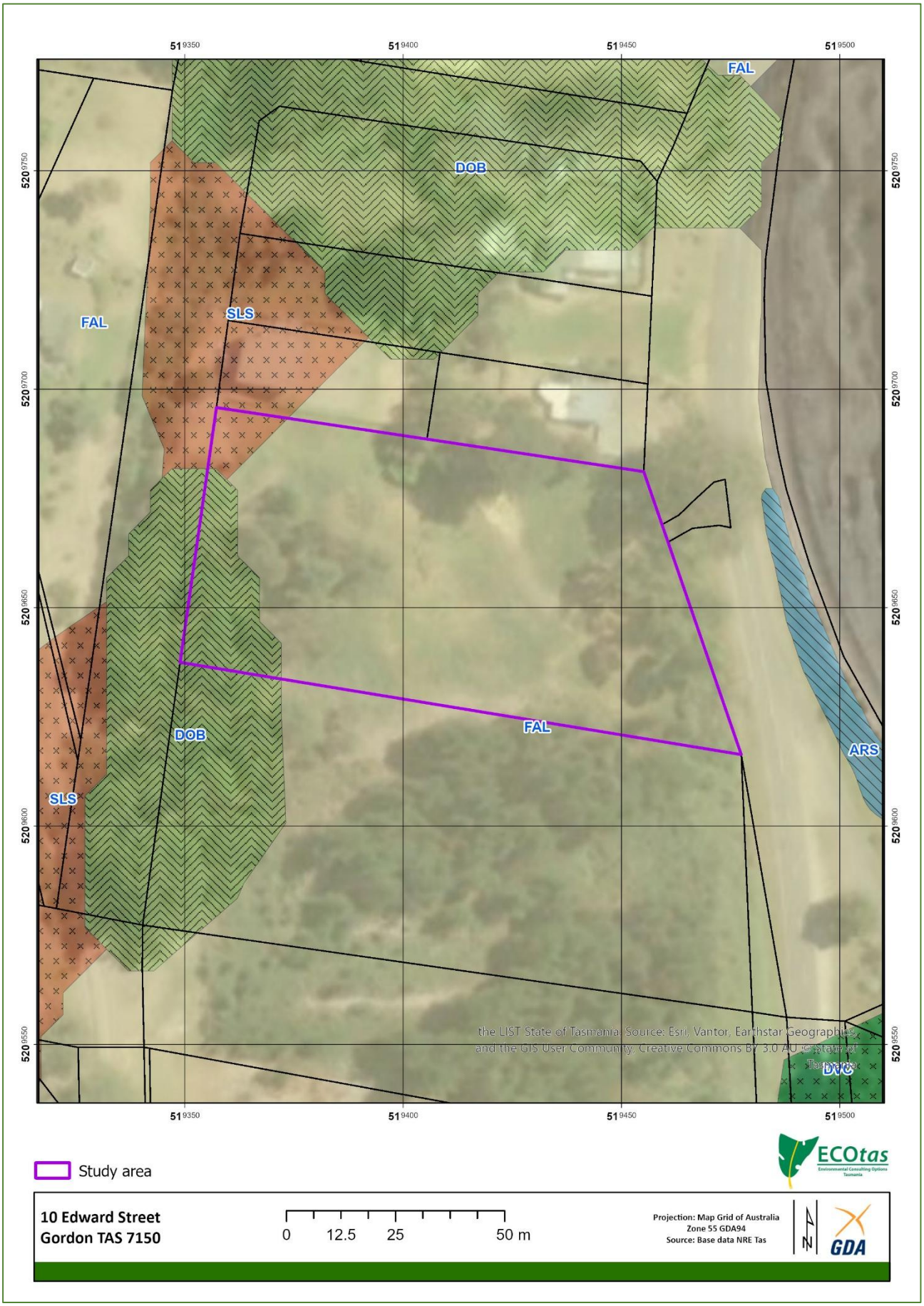

Figure 9. Existing TASVEG 5.0/Live mapping for subject title and surrounds (refer to text for codes)

Figure 10a. Revised vegetation mapping for subject title and access sections (refer to text for codes)

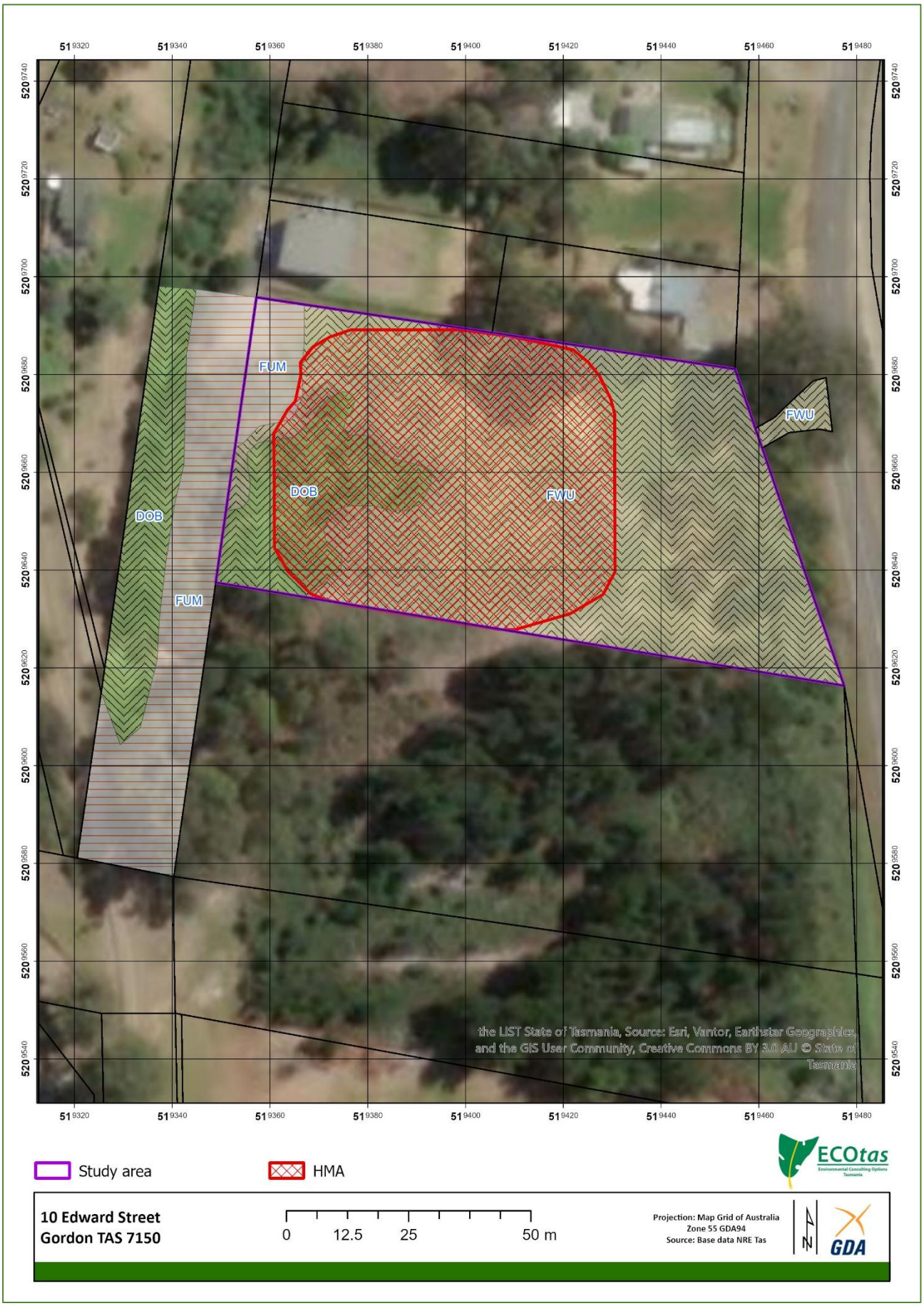

Figure 10b. Revised vegetation mapping for subject title showing extent of proposed hazard management area (refer to text for codes)

Findings Vegetation types continued…

The allocation of parts of the title to DOB is in itself somewhat tenuous, this area being poorly-defined by reference to remnant trees with an almost wholly modified understorey (note that aerial imagery over-estimates the tree canopy cover because some trees are no longer present or the cover is actually from introduced tall shrub species such as a very large Arbutus unedo). The area of scattered *Eucalyptus globulus* close to the Channel Highway has been included in the concept of FWU because the understorey lacks all native vegetation elements (totally underlain by gorse and blackberry and other naturalised species) and the canopy is very sparse.

Occurrences of FWU, FUM or DOB do not equate to a native vegetation community listed as threatened on Schedule 3A of the Tasmanian *Nature Conservation Act 2002* or to a threatened ecological community listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

Occurrences of FWU, FUM or DOB do not qualify as any particular priority biodiversity value (as vegetation communities) under Table E10.1 of the Biodiversity Vode of the *Kingborough Interim Planning Scheme 2015*.

Threatened flora

No plant species listed as threatened on the Tasmanian *Threatened Species Protection Act 1995* and/or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* are known from database information (none within 5 km), or were detected as a consequence of field assessment, from the study area.

In the absence of populations of threatened flora and potential habitat of such species (except in the most general of senses), the site does not qualify as any particular priority biodiversity value (in relation to threatened flora) under Table E10.1 of the Biodiversity Vode of the *Kingborough Interim Planning Scheme 2015*.

Threatened fauna

No fauna species listed as threatened on the Tasmanian *Threatened Species Protection Act 1995* and/or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* are known from database information (Figure 11), or were detected as a consequence of field assessment, from the project area.

In the absence of populations of threatened fauna, the site should not qualify as any particular priority biodiversity value (in relation to threatened fauna) under Table E10.1 of the Biodiversity Vode of the *Kingborough Interim Planning Scheme 2015*. However, it is recognised that Table E10.1 includes the concept of "potential habitat". While the site supports individual trees of *Eucalyptus globulus* (blue gum) that would usually be considered to be potential habitat for *Lathamus discolor* (swift parrot), in this case, it is understood that none of these trees are proposed for removal so this element of high or moderate priority biodiversity value is somewhat moot. There are relatively recent (2021) records of the swift parrot foraging in the large blue gums northeast of the title (i.e. the trees within the road reserve).

The fact that cleared habitats with some weed and native elements provide potential habitat for species such as *Perameles gunnii* (eastern barred bandicoot) is not considered significant, with particular reference to the phrasing of the definition of potential habitat under the Biodiversity Code, viz. "it may not include habitats known to be occupied intermittently". For further information on the conservation significance of individual trees, refer to section below.

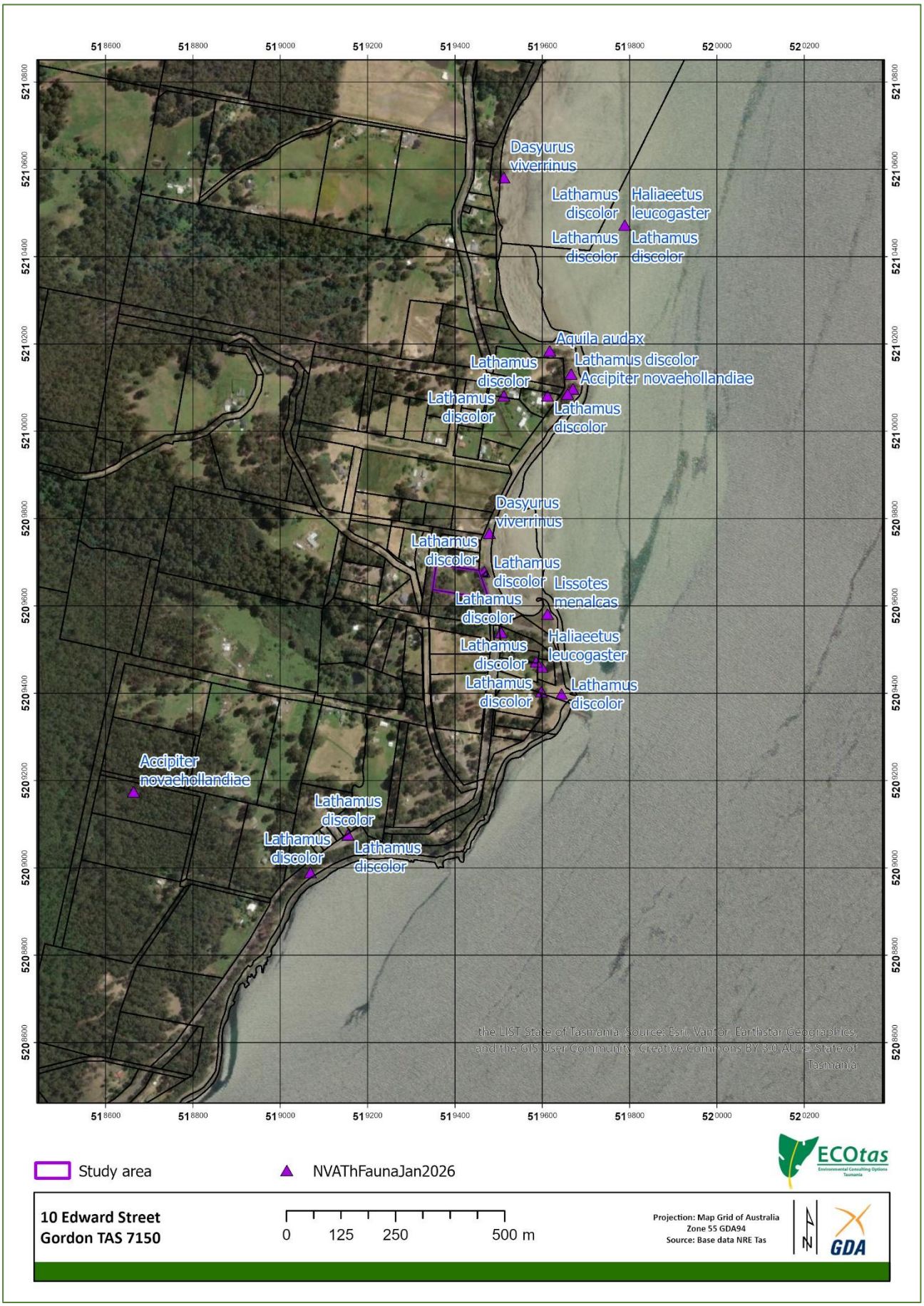

Figure 11a. Distribution of records of threatened fauna (overview)

Figure 11b. Distribution of records of threatened fauna (detail)

Other natural values

Table E10.1 of the Biodiversity Code of the *Kingborough Interim Planning Scheme 2015* also includes other values that can be considered as moderate or high priority biodiversity value. The main one in relation to this site is the concept of "high conservation value trees". In this case, a detailed site survey has been undertaken and a plan produced (Figure 12, Table 1) showing all trees greater than ca. 25 cm DBH within and adjacent to the title (those adjacent to the title shown for reference only noting no works outside the title are proposed, e.g. along Edward Street or the Channel Highway, and no works within the title are anticipated to impact on trees outside the title) to satisfy Kingborough Council *Guidelines For A Tree Plan* v2.1 05/04/2024, *Kingborough Biodiversity Offset Policy 6.10, Nov. 2023* and the *Australian Standard for Protection of Trees on Development Sites AS4970-2026* (should the latter become required).

Of the trees classified as high or very high conservation value, some are outside the title (Trees 7-10) and should not require further consideration (noting these are blue gums and acknowledged as a foraging resource for swift parrots but are subject to management by the relevant State government agency). Trees 1-6 are all blue gums at the lower side of the title (Tree 5 is not rated as high or very high conservation value as its girth is only 23 cm). None of these are proposed to be impacted in any manner (wholly outside the proposed hazard management area and their respective TPZs are well outside any part of the title where works will occur) such that these are not considered further.

The balance of the trees are on the upper part of the title and are all stringybarks (except for one each of a blackwood and a silver wattle). Trees 21, 23, 24 & 31 qualify as very high conservation due to their girth (> 70 cm), although none currently show any signs of hollow development. Trees 23 & 24 are within the indicative hazard management area and it is presumed that at some point in time they will need to be removed. Tree 31 is on the title's western boundary and can almost certainly be retained (although it may be close enough to the boundary to be subject to some exemptions under the Scheme – this would need to be confirmed if the tree was proposed for removal). Tree 21 is on the edge of the indicative hazard management area and thereford could be retained in that context. However, it is unlikely that this tree will be practical to retain within the context of other parts of the development. On this basis, it is presumed that Trees 21, 23 & 24 will need to be removed. In this case, given the impracticality of retaining these trees, and the land use history, a report from a suitably qualified arborist should not be required (refer Figure 12). Note that these trees qualify as moderate priority biodiversity value under Tabel E10.1 of the Biodiversity Code and will therefore be subject to the *Kingborough Biodiversity Offset Policy 6.10, Nov. 2023*.

Table 1. Details of all characterised trees [cross-reference to Figure 12]

[DBH = diameter at breast height (i.e. 1.3-1.4 m above ground), multiple trunked trees corrected by reference to https://www.treetec.net.au/tree-arborist-victoria/tpz_srz_dbh_calculator/ aligned with AS4970-2009; CV = conservation value as per *Kingborough Biodiversity Offset Policy 6.10, November 2023*'; rows in bold highlight trees with high or very high conservation value; TPZ = 12 x DBH]

tree	species	DBH (cm)	DBH (corrected, cm)	CV	rationale	TPZ (m)
T1	***E. globulus***	**40, 95**	**103**	**very high**	**modified setting, any species DBH >70 cm & *E. globulus* DBH >70 cm**	**12.36**
T2	***E. globulus***	**34, 27, 22, 12**	**50**	**high**	***E. globulus* DBH >40<70 cm**	**6**
T3	***E. globulus***	**66, 46**	**81**	**very high**	**modified setting, any species DBH >70 cm & *E. globulus* DBH >70 cm**	**9.72**
T4	***E. globulus***		**85**	**very high**	**modified setting, any species DBH >70 cm & *E. globulus* DBH >70 cm**	**10.2**
T5	*E. globulus*		23	low	modified setting, any species DBH <70 cm & *E. globulus* DBH <40 cm	2.76

tree	species	DBH (cm)	DBH (corrected, cm)	CV	rationale	TPZ (m)
T6	***E. globulus***		**63**	**high**	***E. globulus* DBH >40<70 cm**	**7.56**
T7	***E. globulus***		**49**	**high**	***E. globulus* DBH >40<70 cm**	**5.88**
T8	***E. globulus***		**146**	**very high**	**modified setting, any species DBH >70 cm & *E. globulus* DBH >70 cm**	**15**
T9	***E. globulus***		**79**	**very high**	**modified setting, any species DBH >70 cm & *E. globulus* DBH >70 cm**	**9.48**
T10	*E. obliqua*	51, 32	60	low	modified setting, any species DBH <70 cm	7.2
T11	*E. obliqua*		29	low	modified setting, any species DBH <70 cm	3.48
T12	*E. obliqua*		36	low	modified setting, any species DBH <70 cm	4.32
T13	*E. obliqua*		26	low	modified setting, any species DBH <70 cm	3.12
T14	*A. dealbata*		42	low	modified setting, any species DBH <70 cm	5.04
T15	*E. obliqua*		15	low	modified setting, any species DBH <70 cm	1.8
T16	*E. obliqua*		15	low	modified setting, any species DBH <70 cm	1.8
T17	*E. obliqua*		42	low	modified setting, any species DBH <70 cm	5.04
T18	*A. melanoxylon*		28	low	modified setting, any species DBH <70 cm	3.36
T19	*E. obliqua*		32	low	modified setting, any species DBH <70 cm	3.84
T20	*E. obliqua*		22	low	modified setting, any species DBH <70 cm	2.64
T21	***E. obliqua***		**137**	**very high**	**modified setting, any species DBH >70 cm**	**15**
T22	*E. obliqua*	38, 28	47	low	modified setting, any species DBH <70 cm	5.64
T23	***E. obliqua***		**92**	**very high**	**modified setting, any species DBH >70 cm**	**11.04**
T24	***E. obliqua***		**81**	**very high**	**modified setting, any species DBH >70 cm**	**9.72**
T25	*E. obliqua*		34	low	modified setting, any species DBH <70 cm	4.08
T26	*E. obliqua*		35	low	modified setting, any species DBH <70 cm	4.2
T27	*E. obliqua*		20	low	modified setting, any species DBH <70 cm	2.4
T28	*E. obliqua*		30	low	modified setting, any species DBH <70 cm	3.6
T29	*E. obliqua*		43	low	modified setting, any species DBH <70 cm	5.16
T30	*E. obliqua*		32	low	modified setting, any species DBH <70 cm	3.84
T31	***E. obliqua***		**78**	**very high**	**modified setting, any species DBH >70 cm**	**9.36**

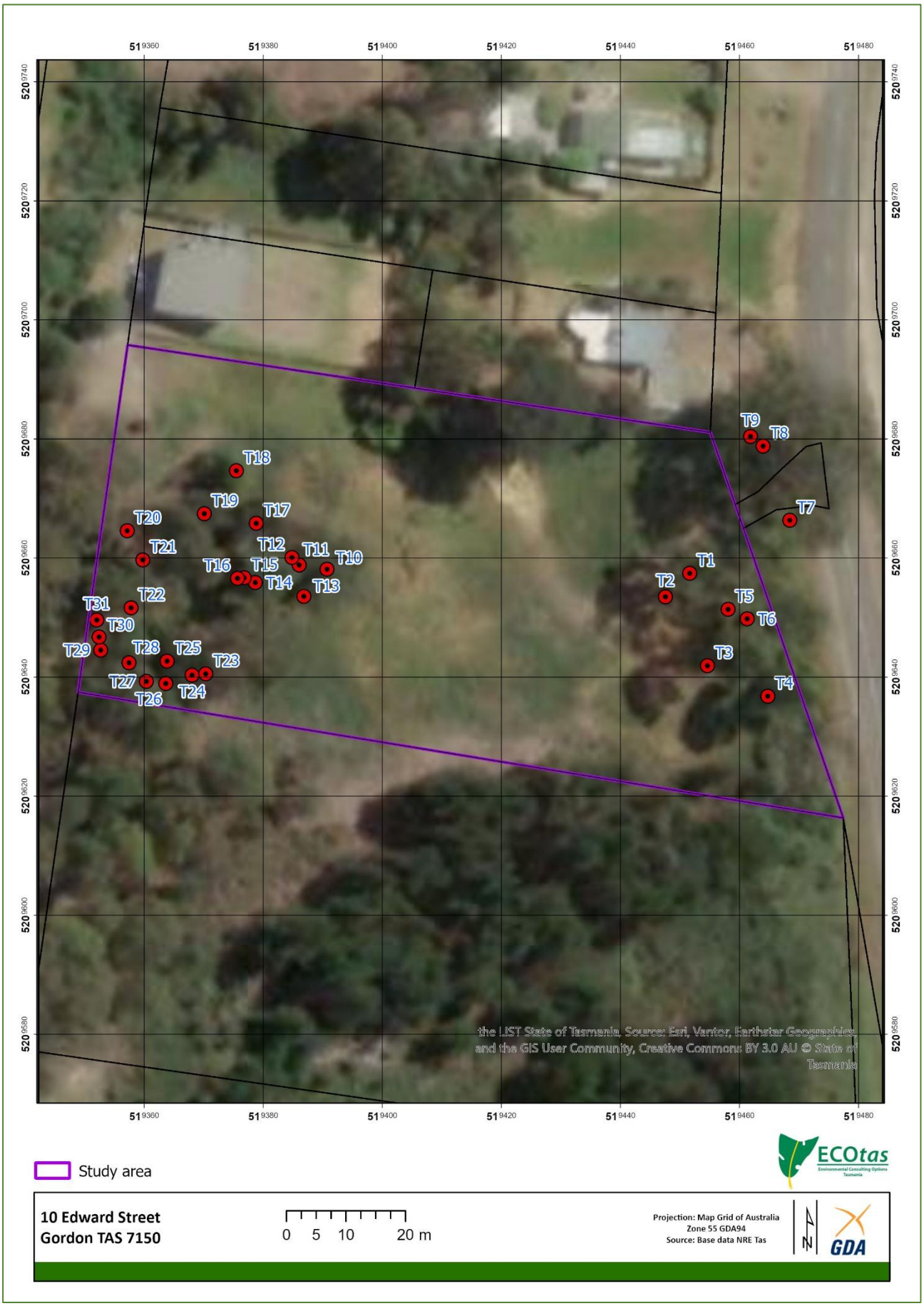

Figure 12a. Location of all trees over ca. 25 cm DBH [cross-reference to Table 1] within and adjacent to subject title

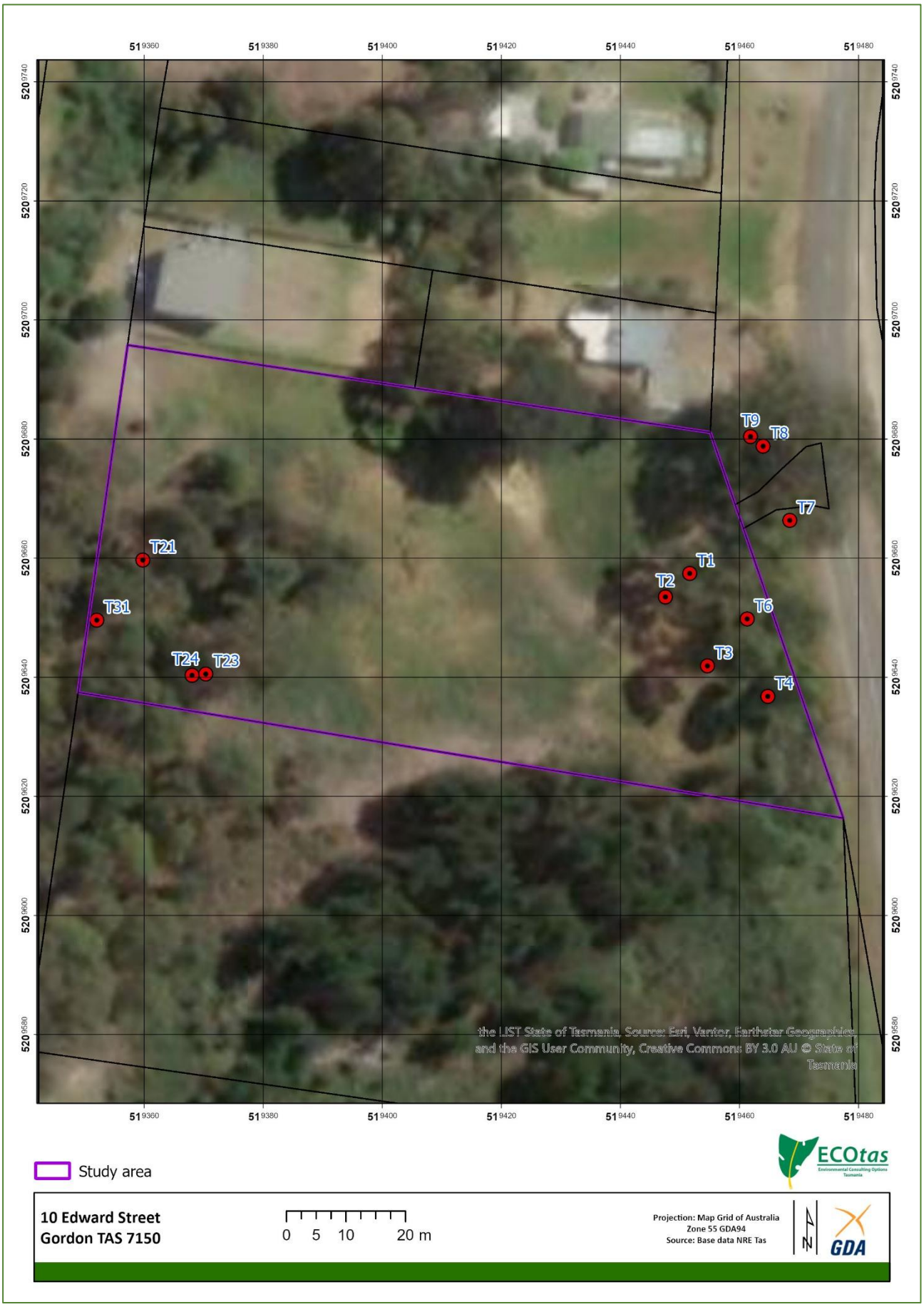

Figure 12b. Location of high and very high conservation value trees [cross-reference to Table 1] within and adjacent to subject title

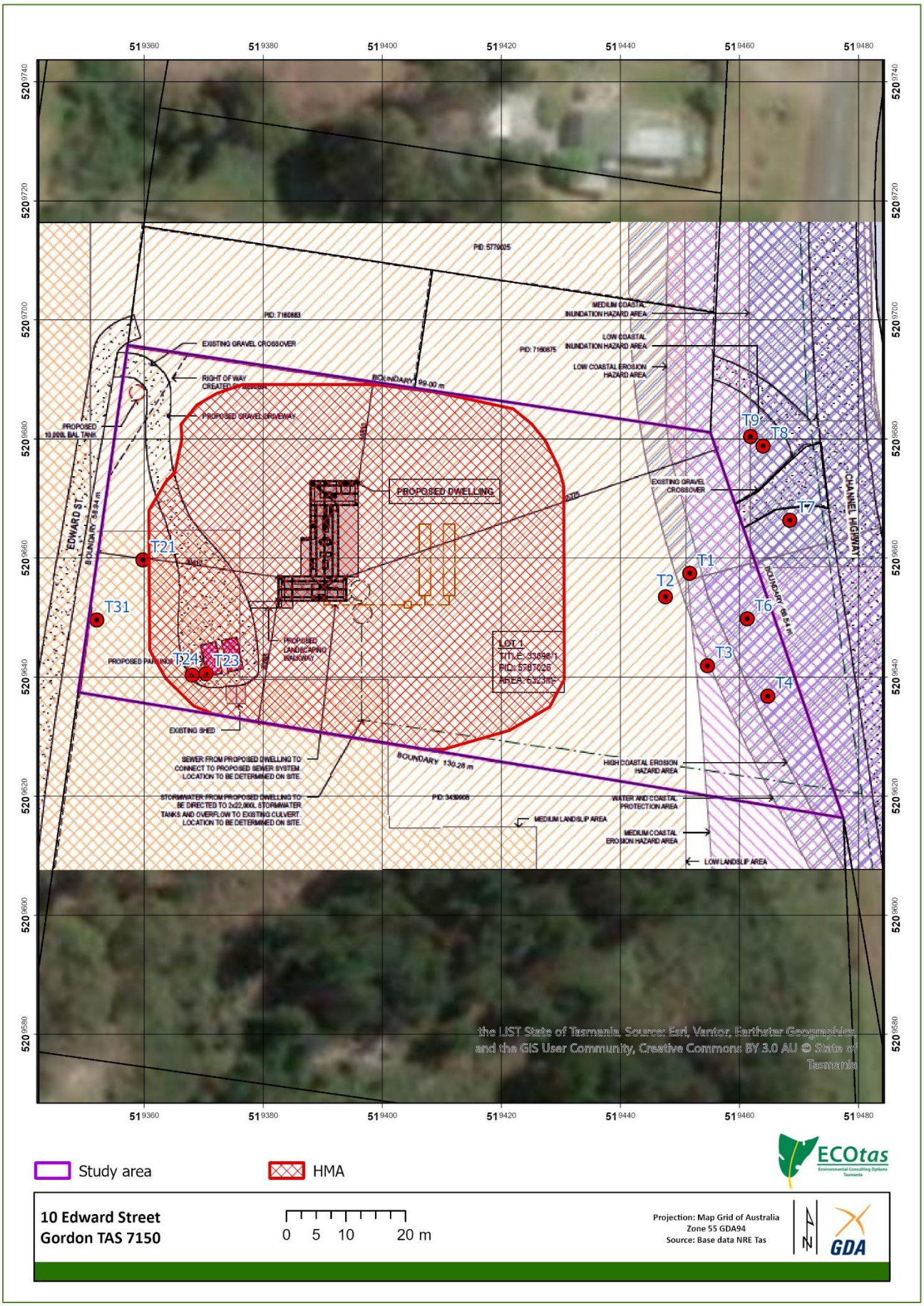

Figure 12c. Location of high and very high conservation value trees [cross-reference to Table 1] within and adjacent to subject title showing site plan and hazard management area (indicative only)

Consideration of Low Density Residential zone provisions

The subject title is zoned Low Density Residential. Only clauses related to "natural values" are reviewed While several provisions of the zone may have application, below is the one that has greatest relevance to the findings.

> 12.4 Development Standards for Buildings and Works
>
> 10.4.2 Setbacks and building envelope
>
> Acceptable Solutions
>
> A4
>
> No trees of high conservation value will be impacted.
>
> P4
>
> Buildings and works are designed and located to avoid, minimise, mitigate and offset impacts on trees of high conservation value.

The site plan indicates that A4 cannot be satisfied such that P4 must be considered. This refers to the need to "avoid, minimise, mitigate and offset impacts on trees of high conservation value", noting that achieving all of these actions linked by "and" is probably a logical impossibility. In this case, the high and very high conservation value trees close to the Channel Highway have been "avoided". It is likely to be possible to "avoid" impact to another very high conservation value tree along the title's western boundary. Avoiding impact to Trees 21, 23 & 24 is not likely to be practical and mitigation is not anticipated as a practical scenario i.e. the impacts to these three trees will need to be "offset". Notwithstanding that P4 has no link to the *Kingborough Biodiversity Offset Policy 6.10, Nov. 2023*, the "offset" provision will be further addressed through application of the Biodiversity Code.

Consideration of Biodiversity Code provisions

The application of the Biodiversity Code is stated as:

> E10.2 Application
>
> E10.2.1 This code applies to development involving clearance and conversion or disturbance of native vegetation within a Biodiversity Protection Area.

"Native vegetation" is defined under the *Scheme* as:

> "plants that are indigenous to Tasmania including trees, shrubs, herbs and grasses that have not been planted for domestic or commercial purposes".

The development will include at least some level of "clearance and conversion" and/or "disturbance" to "native vegetation" (area mapped as DOB) such that the Code will have application.

The application requirements under the Biodiversity Code are stated below:

> E10.5 Application Requirements
>
> E10.5.1
>
> In addition to any other application requirements, the planning authority may require the applicant to provide a natural values determination if considered necessary to determine compliance with acceptable solutions.
>
> E10.5.2
>
> In addition to any other application requirements, the planning authority may require the applicant to provide any of the following information if considered necessary to determine compliance with performance criteria:

(a) a natural values determination;

(b) a natural values assessment;

(c) a report detailing how impacts on priority biodiversity values will be avoided, minimised, and/or mitigated;

(d) a special circumstances justification report;

(e) a biodiversity offsets plan.

A "natural values assessment" (a higher level of assessment than a "natural values determination") is defined as:

"an ecological assessment, generally consistent with the *Guidelines for Natural Values Assessments* (DPIPWE July 2009), by a suitably qualified person (biodiversity) to identify and convey:

(a) the location of priority biodiversity values affecting the site;

(b) the significance of priority biodiversity values, with particular reference to Table E10.1;

(c) any likely impact on these priority biodiversity values including existing activities on the site, nearby land uses, weeds, pests, pathogens and the degree of connectivity with other land with natural values;

(d) the likely impact of the proposed development or use on these priority biodiversity values;

(e) recommendations for the design and siting of the proposed development or use to avoid or minimise the identified impacts;

(f) recommendations for the mitigation or management of any residual impacts.

The preceding report on the natural values and this review of the provisions of the Biodiversity Code should meet the intent and specifics of a "natural values assessment" or "natural values determination" under the Biodiversity Code.

The Development Standards for Buildings and Works have the following objective:

E10.7 Development Standards

E10.7.1 Buildings and Works

Objective:

To ensure that development for buildings and works that involves clearance and conversion or disturbance within a Biodiversity Protection Area does not result in unnecessary or unacceptable loss of priority biodiversity values.

This is a difficult objective to meet in literal terms because it is subjective and terms such as "unnecessary" and "unacceptable" are not defined, particularly in relation to a proposed use that is acceptable under the zoning. See also previous discussion on the terms "clearance and conversion" and "disturbance".

However, given that the whole title is almost wholly cleared land and only a small number of individual trees will be removed or impacted, this should be considered a satisfactory outcome that meets the intent of not resulting in "unnecessary or unacceptable loss of priority biodiversity values", noting that no so-called "priority biodiversity values" have been identified (see later in this analysis), especially given the title's size, steepness and access constraints.

The Acceptable Solution is stated as:

A1

Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.

To the best of my knowledge, A1 is not satisfied because there is not a building area shown on title.

To address the Performance Criteria, it is necessary to categorise the significance of the "priority biodiversity values" present as "low", "moderate" or "high", as the category affects the manner in which the criteria are addressed.

"High priority biodiversity values" are defined as (taken from Table E10.1 with author commentary below each):

> Native vegetation communities listed as threatened under the *Nature Conservation Act 2002*.

The title supports FWU, FUM & DOB, which do not equate to listed communities. That is, this component of high priority biodiversity value is not present.

> Significant habitat for and/or areas known to contain threatened species listed under the *Threatened Species Protection Act 1995* or the *Environment Protection and Biodiversity Conservation Act 1999* that are:
>
> (a) recognised as endangered or vulnerable; or
>
> (b) largely confined in their total distribution to the municipal area; or
>
> (c) have most of their range within the municipal area.

"Significant habitat" is defined under the *Scheme* as:

> "Native vegetation determined from published literature and/or agreed by the Threatened Species Section (DPIPWE) in consultation with species specialist, and/or endorsed by the Threatened Species Scientific Advisory Committee (TSSAC) as habitat within the range of a threatened or vulnerable flora or fauna species that: (i) is known to be of high priority for the maintenance of breeding populations throughout the species' range; and/or (ii) if converted to non-native vegetation is considered to result in a long term negative impact on breeding populations of the species. It may include areas that do not currently support breeding populations of the species but that need to be maintained to ensure the long-term future of the species".

In relation to threatened flora, the title does not support populations of threatened flora listed as endangered or vulnerable on the Tasmanian *Threatened Species Protection Act 1995* and/or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* nor potential habitat of such species in any reasonable sense.

In relation to threatened fauna, the title provides ubiquitous potential habitat for species such as the Tasmanian devil, spotted-tailed quoll, eastern quoll and eastern barred bandicoot but the preceding report has demonstrated that it is not reasonable to consider the title as "significant" for these species at any logical level. The individuals of *Eucalyptus globulus* (blue gum) almost certainly provide potential foraging habitat for *Lathamus discolor* (swift parrot), but none are proposed for removal.

> Native vegetation communities with a distribution on a bioregional basis having contracted to less than 10% of its former area.

Not applicable – there is no notion that DOB has such a distribution (one of the more widespread and well-reserved native vegetation communities at a Statewide, bioregional and municipal level).

> Native vegetation communities with a total area on a bio-regional basis generally being less than 1,000 ha.

Not applicable – there is no notion that DOB has such a distribution (one of the more widespread and well-reserved native vegetation communities at a Statewide, bioregional and municipal level).

> Remnants occurring on land systems components which have been more than 90% cleared of their native vegetation.

Not applicable – the small area of DOB is hardly sufficient size to be termed a "remnant", except in general terms, noting the extensive "rural living" style development in the wider area.

"Moderate priority biodiversity values" are defined as (taken from Table E10.1 with author commentary below each):

> Significant habitat for and/or areas known to contain threatened species listed under the *Threatened Species Protection Act 1995* or the *Environment Protection and Biodiversity Conservation Act 1999* that are:
>
> (a) recognised as rare; and
>
> (b) are not specific to the municipal area.

Of the threatened fauna species identified as potentially present (albeit very marginally so), only the spotted-tailed quoll is listed as "rare" but this species has a landscape-scale distribution and the site did not support particular habitat elements strongly associated with the species. No species recognised as specific to the municipal area have been identified.

> Potential habitat for threatened species listed under the *Threatened Species Protection Act 1995* or the *Environment Protection and Biodiversity Conservation Act 1999*.

"Potential habitat" is defined under the *Scheme* as:

> "All vegetation types within the potential range of a threatened flora or fauna species that are likely to support that species in the short and/or long term. It may not include habitats known to be occupied intermittently. Potential habitat is determined from published and unpublished scientific literature and/or via expert opinion, is agreed by the Threatened Species Section (DPIPWE) in consultation with species specialist, and/or endorsed by the Threatened Species Scientific Advisory Committee (TSSAC) under the Threatened Species Protection Act 1995".

In relation to threatened flora, the title does not support potential habitat of threatened flora in any reasonable sense (and no such species were recorded).

Because this definition of "potential habitat" now includes the extremely nebulous concept of "…likely to support that species in the short and/or long term", it becomes almost impossible to discount any area of "native vegetation" (however intact or modified), or even many patches of modified land such as pasture, regenerating cleared land, plantations, etc., within the municipality as not being "moderate priority biodiversity value", which is clearly not the intent. The definition does, however, include the concept of "may not include habitats known to be occupied intermittently", which means species such as the Tasmanian devil, spotted-tailed quoll, eastern quoll, eastern barred bandicoot, grey goshawk, masked owl, wedge-tailed eagle, blue-winged parrot, forty-spotted pardalote and swift parrot that may "pass through" (but not permanently occupy) the site would not qualify the site as "moderate priority biodiversity value".

In my opinion, it is very hard to qualify the site as supporting potential habitat of threatened fauna at any reasonable scale that would qualify it as moderate priority biodiversity value (excluding the blue gums at the lower part of the title, which have already been discussed under high priority biodiversity values).

> Native vegetation communities approaching a reduction in areal extent of 70% within a bioregional context.

Not applicable – there is no notion that DOB has such a distribution (one of the more widespread and well-reserved native vegetation communities at a Statewide, bioregional and municipal level).

> Other priority species that are not listed but are considered of conservation significance in the municipal area.

"Priority species" are defined under the *Scheme* as:

> "…non-listed taxa identified in the Tasmanian RFA (Commonwealth of Australia and State of Tasmania 1997, as amended) as requiring some of form or protection or further research, non-listed species identified as poorly reserved in Tasmania, type locations and edge-of-range populations".

The title does not support such values. None of the RFA-listed non-listed taxa are present (note that the RFA has essentially been updated such that the list of priority species is now consistent with formally legislated lists). Poorly-reserved species have attempted to be defined and described at various times by DPIPWE (NRE Tas) but the lists are of limited value because they lack rigour and rely on out-of-date data. This means that "poorly-reserved" taxa are best considered on a case-by-case basis by a suitably qualified person in relation to a specific development proposal and/or site. The title does not include any species that could reasonably be categorised as poorly-reserved. The title does not support any type locations of any taxa. The parts of the titles proposed for development do not include any edge-of range populations of any taxa. Note that *Eucalyptus rubida* (candlebark) is now also considered as a priority species by the planning authority: this species is not present within the parts of the title proposed for development.

> High conservation value trees.

The *Scheme* defines a "high conservation value tree" as:

> "a tree that is of a species that is listed in the *Threatened Species Protection Act 1995* or the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) and/or provide potential or significant habitat for a threatened species listed in either of those acts".

The tree species present within the title and on its immediate fringes are not listed as threatened on either of the mentioned acts (Table 1). It has already been acknowledged that *Eucalyptus globulus* provides potential habitat for the swift parrot (but that none are proposed for removal).

The usual interpretation of the planning authority of "high conservation value trees" under Table E10.1 is by reference to *Kingborough Biodiversity Offset Policy 6.10, Nov. 2023*. By reference to this, in this context (modified setting), any tree over 70 cm diameter at breast height (DBH) will qualify as a very high conservation value tree because of the potential importance (existing or future) for hollow-dwelling species and any *Eucalyptus globulus* (blue gum) between 40-70 cm DBH will qualify as high conservation value (those over 70 cm DBH already qualify as very high conservation value).

The most usual course taken by the planning authority is to require a "tree plan" (as per their issued guidelines) that provide a map of all trees over 25 cm DBH, numbered, identified to species and DBH measured for comparison to the table in the *Kingborough Biodiversity Offset Policy 6.10, November 2023*. In this case, refer to Table 1 & Figure 12 that has been produced satisfying the guidelines in full. This identifies three very high conservation value trees likely to be removed (Trees 21, 23 & 24). Note that the "tree data" has been supplied to the client for direct transfer to any more formal site plans. It is recommended that final site plans that show all high and very high conservation value trees and their respective Tree Protection Zones (TPZs) relative to all project elements (including the final hazard management area) be submitted as part of the response to the request for further information. Maps included in the present report should be considered indicative only.

"Low priority biodiversity values" are defined as (taken from Table E10.1 with author commentary below each):

> All other native vegetation communities.

Applicable to the area of modified DOB.

On the basis of the above analysis, moderate priority biodiversity values in the form of individual trees are present.

The Performance Criteria for moderate priority biodiversity values are stated as:

> P1
>
> Clearance and conversion or disturbance must satisfy the following:
>
> (b) if moderate 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;
>
> (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings
>
> (iii) remaining moderate 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;
>
> (iv) residual adverse impacts on moderate 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.

In relation to P1(b)(i), in my opinion this will be achieved by reference to the configuration and size of the title, constraints on access, the steepness of the slope and its intended purpose through the zoning.

In relation to P1(b)(ii), a bushfire hazard management plan certified by an accredited practitioner should satisfy this requirement.

In relation to P1(b)(iii), this is in relation to the individuals of *Eucalyptus globulus* (blue gum) at the lower end (eastern end) of the title, which are not proposed for removal.

In relation to P1(b)(iv), this is in relation to Trees 21, 23 & 24 classified as very high conservation value, which will almost certainly require removal, which means they will be subject to the provisions of *Kingborough Biodiversity Offset Policy 6.10, Nov. 2023*. In this case, a financial offset on a per tree basis is the most appropriate offset mechanism.

Based on the above review, the proposed development should meet the intent and specifics of P1(a) of E10.7.1 of the Biodiversity Code in relation to moderate priority biodiversity values with conditions related to very high conservation value trees to be applied through the *Kingborough Biodiversity Offset Policy 6.10, Nov. 2023* on a per tree basis.

Note that this statement does not constitute legal advice, and provides an interpretation of the provisions of the *Kingborough Interim Planning Scheme 2015* and the *State Planning Provisions*, which may not represent the views of Clarence City Council. It is recommended that formal advice be sought from the relevant agency prior to acting on any aspect of this report.

Please do not hesitate to contact me further if additional information is required.

Kind regards

Mark Wapstra

Senior Scientist/Manager