



MULCAHY PLANNING
AND
PROPERTY
SERVICES

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17 September 2024

Grace Paisley
Team Leader Statutory Planning
Kingborough Council
15 Channel Hwy
Kingston TAS 7050

ATTN: Camilo Miranda

RE: DA-2024-32

Dear Ms Paisley,

This letter has been drafted to address the impacts of the proposed new dwelling at 75 Blyth Parade on 'native vegetation' and 'high conservation value trees', as defined under the Kingborough Interim Planning Scheme 2015 (the Scheme). It is an update to a previous letter in response to the RFI issued by Council on 7th June 2024.

1. Native vegetation

Under the provisions of the Scheme, native vegetation 'means plants that are indigenous to Tasmania including trees, shrubs, herbs and grasses that have not been planted for domestic or commercial purposes.' All vegetation on the property meets this definition, albeit that vegetation in some areas of the property is degraded or modified and that environmental weeds are present.

The TASVEG4.0 mapping for the site is dry black peppermint (*Eucalyptus amygdalina*) forest and woodland on dolerite (DAD). Although there are pockets of sandy substrate and surface mudstone/sandstone near the road frontage, there is dolerite surface rock evident over much of the land and the vegetation is floristically consistent with DAD forest. This community is considered well reserved at both a statewide and bioregional level and is not a high priority for conservation. It constitutes a low priority biodiversity value under Table E10.1 of the Scheme.

Vegetation on the subject land is mapped in Figure 1.

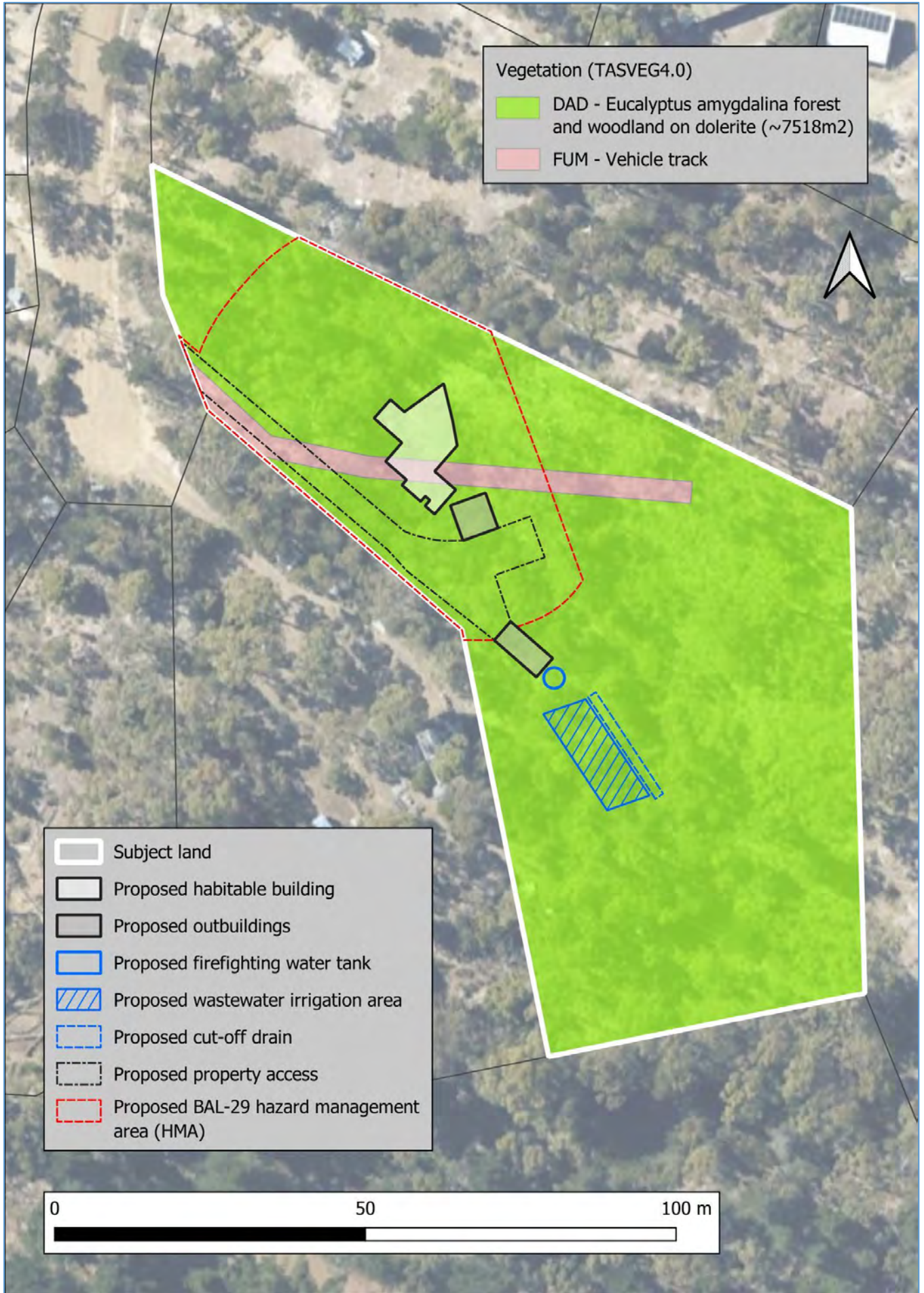


Figure 1. Native vegetation impacted by the proposal

2. Impact on native vegetation

The total area of native vegetation on the subject land is approximately 7518 m², while the area impacted by the proposed development is approximately 2363 m², which includes the area of the proposed BAL-29 bushfire hazard management area (HMA) (see Figure 1). This impact includes the proposed removal of two (2) high conservation value trees and three (3) other mature trees (see section below and attached Tree Plan).

Establishment and maintenance of the HMA can occur without removing mature trees, provided at least 5 m separation is maintained between tree canopies and any lower branches are removed to provide at least 2 m separation between canopy and underlying vegetation. It is envisaged that vegetation modification within the HMA will entail:

- potential lopping of mature trees to create and maintain vertical and horizontal separation of fuels,
- thinning of tree saplings and larger shrubs in the understorey, and
- regular mowing or slashing of ground cover such that it meets the definition of 'low threat vegetation' under AS3959 2018.

Illustrative photos of areas impacted by the proposal are provided at Figures 2 -



Figure 2. Existing crossover to be upgraded for access to the subject land.



Figure 3. Alignment of lower section of proposed driveway



Figure 4. Alignment of middle section of proposed driveway



Figure 5. Location of the proposed 'Y' turning area at the end of the driveway



Figure 6. Location of the proposed 'wastewater dispersal area'



Figure 7. Location of proposed carport (centre foreground)



Figure 8. Location of proposed habitable building (foreground), when viewed from the northwest



Figure 9. Location of proposed habitable building (foreground), when viewed from the east

3. High Conservation Value Trees

The Scheme offers protection for individual trees that are or could be of high conservation value, as defined under the working definition, which is summarised in Table 1.

Most trees on the property are large black peppermints or white peppermints which meet Council's working definition of high conservation value trees because they have a diameter at breast height (DBH) of 700 mm or more. There are also several white gums on the block with a DBH over 250 mm which meet the working definition (see attached Tree Plan).

These trees all constitute moderate priority biodiversity values under Table E10.1 of the Scheme. Arguably the mature white gums at the site constitute high priority biodiversity values, depending on whether one considers the site to be potential forty-spotted pardalote (FSP) habitat. The author considers it unlikely that the site provides potential habitat for FSP given:

- the nearest verified records for FSP to the site are approximately 1 km away to the south and over 1.5 km away to the north, and
- it is generally considered that around 20 white gums per hectare are necessary to provide useful foraging habitat for the species (Bryant pers comm) and white gums do not occur at this density on the subject land or anywhere in the immediate vicinity.

Nonetheless, upon maturing juvenile FSPs are known to disperse from established territories and during such migration it is possible that birds may utilise isolated white gums or small patches of white gums such as those which occur on the subject land. As such, it is still important to maintain white gums on Bruny Island wherever possible as potential habitat for this species.

Table 1: Working Definition of High Conservation Value Trees

Species	Characteristics	Rationale	Conservation Value
<i>Eucalyptus globulus</i> or <i>E. ovata</i>	DBH >70 cm	Swift parrot foraging habitat	Very high
<i>E. viminalis</i>	DBH >25 cm and within or directly adjacent to significant forty-spotted pardalote habitat	Forty-spotted pardalote habitat	Very high
Native trees with known or potential nesting hollows	Hollows present, and/or DBH > 70 cm in dry forests or cleared settings	Habitat for hollow dependent species	Very high
<i>Eucalyptus globulus</i> or <i>E. ovata</i>	DBH >40 cm and <70 cm	Swift parrot foraging habitat	High
<i>E. viminalis</i>	DBH >25 cm and within 3,000m of significant forty-spotted pardalote (FSP) habitat or within potential FSP habitat	Forty-spotted pardalote habitat	High
A species that is listed in State or Federal legislation	N/A	Listed threatened species	High

4. Tree Plan

Consistent with Council’s Guidelines for a Tree Plan (v2.1, 5 April 2024), all living trees with a diameter at breast height (DBH) of 250 mm or more within the proposed BAL-29 bushfire hazard management area (HMA) and within 15 m of proposed works have been accurately located by a surveyor and identified.

The Tree Plan also details:

- an individual identification number for each tree recorded,
- Tree Protection Zones (TPZs) for each tree, calculated in accordance with The Australian Standard Protection of Trees on Development Sites AS 4970-2009,
- 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.

5. Weeds and pests

One species listed as a pest species / declared weed under the *Tasmanian Biosecurity Regulations 2022* was recorded during site surveys:

- spanish heath (*Erica lusitanica*), which is a listed species and a recognised environmental weed capable of invading healthy native vegetation.

Scattered occurrences of spanish heath were recorded around the western margins of the property, while large infestations were observed on adjoining properties to the south and southeast of the subject land. There are also recognised environmental weeds on and around the subject land in the form of sweet pittosporum (*Pittosporum undulatum*) seedlings and monterey pine (*Pinus radiata*) wildlings (see Figures 10 – 15).



Figure 10. Pine wildlings near the entrance to the subject land



Figure 11. Large infestation of spanish heath on the adjoining property to the southeast



Figure 12. Large infestation of pines on the adjoining property to the southeast, with scattered sweet pittosporum in the understory



Figure 13. Spanish heath near the western boundary of the subject land



Figure 14. Sweet pittosporum seedling near the western boundary of the subject land

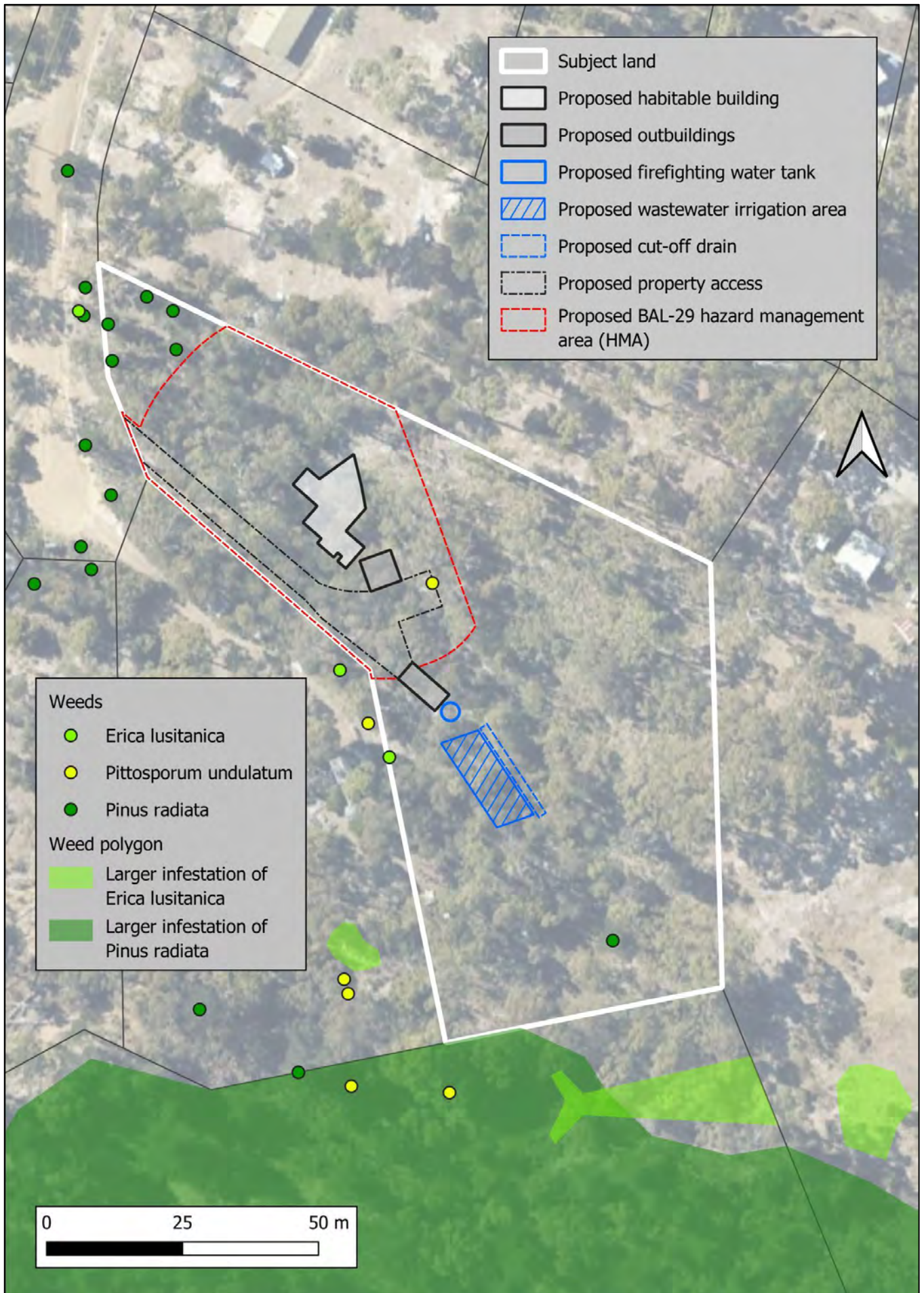


Figure 15. Map of weeds recorded on and around the subject land

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. Biodiversity Code

The Biodiversity Protection Area overlay covers the whole property. The understorey of the DAD forest and woodland impacted by the proposal constitutes low priority biodiversity values pursuant to Table E10.1 of the Scheme, while individual high conservation value trees constitute moderate priority biodiversity values.

E10.7.1 Building and works

P1 Clearance and conversion or disturbance must satisfy the following:

a) if low priority biodiversity values (DAD forest and woodland):

- (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: the potential to minimise impacts is limited by the topography and the bushfire hazard posed by forest on steep slopes to the southwest and west of the site,

overall impact has been minimised by siting development in more open and disturbed areas close to the available road frontage and by construction to BAL-29.

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

Response: the potential to minimise impacts is limited by the topography and the bushfire hazard posed by forest on steep slopes to the southwest and west of the site,

BAL-29 construction minimises the amount of clearing required for hazard management purposes.

b) if moderate priority biodiversity values (high conservation value trees):

- (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: the potential to minimise impacts is limited by the topography and the bushfire hazard posed by forest on steep slopes to the southwest and west of the site,

overall impact on mature trees has been minimised by siting development in more open and disturbed areas close to the available road frontage and by avoiding white gums wherever possible.

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

Response: the potential to minimise impacts is limited by the topography and the bushfire hazard posed by forest on steep slopes to the southwest and west of the site,

BAL-29 construction minimises the number of trees that need to be modified for hazard management purposes.

(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,

Response: the owners are keen to preserve as many mature trees as practicality and safety allow,

ongoing management requirements for retention and protection of mature trees on site are best addressed in permit conditions,

(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 2016,

Response: the owners understand that offsets may be required, the details of any required offsets are best addressed in permit conditions.

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

Yours sincerely,



Jim Mulcahy

Environmental Consultant (BSc, GradDipEnvSt, BFP-159)

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ATTACHMENT 1 - Tree Plan, 75 Blyth Parade, Great Bay

Consistent with Council's Guidelines for a Tree Plan (v2.1, 5 April 2024), all living trees with a diameter at breast height (DBH) of 250 mm or more within the proposed bushfire hazard management area (HMA) and within 15 m of proposed works have been accurately located by a surveyor and identified.

All trees recorded are listed in Table 1 and mapped in Figure 1. Table 1 also details:

- an individual identification number for each tree recorded,
- Tree Protection Zones (TPZs) for each tree, calculated in accordance with The Australian Standard Protection of Trees on Development Sites AS 4970-2009,
- 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.

Of the high conservation value tree proposed for retention, proposed works will intrude more than 10 % into the Tree Protection Zones of Tree #s 10, 11, 12, 13, 15 and 19. With appropriate management controls during construction of access and buildings it should be possible to prevent loss or damage to any of the trees targeted for retention.

Table 1 – Mature eucalypts on the subject land (see also Figure 1)

Tree #	Species	DBH (m)*	TPZ (m)#	HCVT (Y/N)	Action	Comments
3	<i>Eucalyptus viminalis</i>	0.50	6.0	Y	Retain	
4	<i>Eucalyptus viminalis</i>	0.40	4.8	Y	Retain	
5	<i>Eucalyptus amygdalina</i>	0.70	8.4	Y	Remove	
6	<i>Eucalyptus viminalis</i>	0.40	4.8	Y	Retain	
7	<i>Eucalyptus amygdalina</i>	0.90	10.8	Y	Retain	
8	<i>Eucalyptus viminalis</i>	0.40	4.8	Y	Retain	
9	<i>Eucalyptus viminalis</i>	0.35	4.8	Y	Retain	
10	<i>Eucalyptus amygdalina</i>	0.70	8.4	Y	Retain	
11	<i>Eucalyptus viminalis</i>	0.45	5.4	Y	Retain	

Tree #	Species	DBH (m)*	TPZ (m)#	HCVT (Y/N)	Action	Comments
12	<i>Eucalyptus viminalis</i>	0.60	7.2	Y	Retain	
13	<i>Eucalyptus amygdalina</i>	1.30	15.0	Y	Retain	
14	<i>Eucalyptus pulchella</i>	0.70	8.4	Y	Remove	
15	<i>Eucalyptus amygdalina</i>	0.70	8.4	Y	Retain	
16	<i>Eucalyptus amygdalina</i>	1.00	12.0	Y	Retain	
17	<i>Eucalyptus viminalis</i>	0.70	8.4	Y	Retain	
19	<i>Eucalyptus pulchella</i>	0.80	9.6	Y	Retain	Large basal fire scar
20	<i>Eucalyptus viminalis</i>	0.25	3.6	Y	Retain	
27	<i>Eucalyptus amygdalina</i>	1.00	12.0	Y	Retain	
32	<i>Eucalyptus amygdalina</i>	0.80	9.6	Y	Retain	
33	<i>Eucalyptus amygdalina</i>	0.80	9.6	Y	Retain	
Th	<i>Eucalyptus amygdalina</i>	0.45	5.4	N	Retain	
Ti	<i>Eucalyptus amygdalina</i>	0.55	6.6	N	Retain	
Tj	<i>Eucalyptus amygdalina</i>	0.60	7.2	N	Retain	
Tk	<i>Eucalyptus pulchella</i>	0.35	4.8	N	Remove	
Tl	<i>Eucalyptus amygdalina</i>	0.35	4.8	N	Remove	
Tn	<i>Eucalyptus amygdalina</i>	0.60	7.2	N	Remove	
To	<i>Eucalyptus amygdalina</i>	0.40	4.8	N	Retain	

* Rounded to the nearest 50 mm

TPZ = Tree Protection Zone.

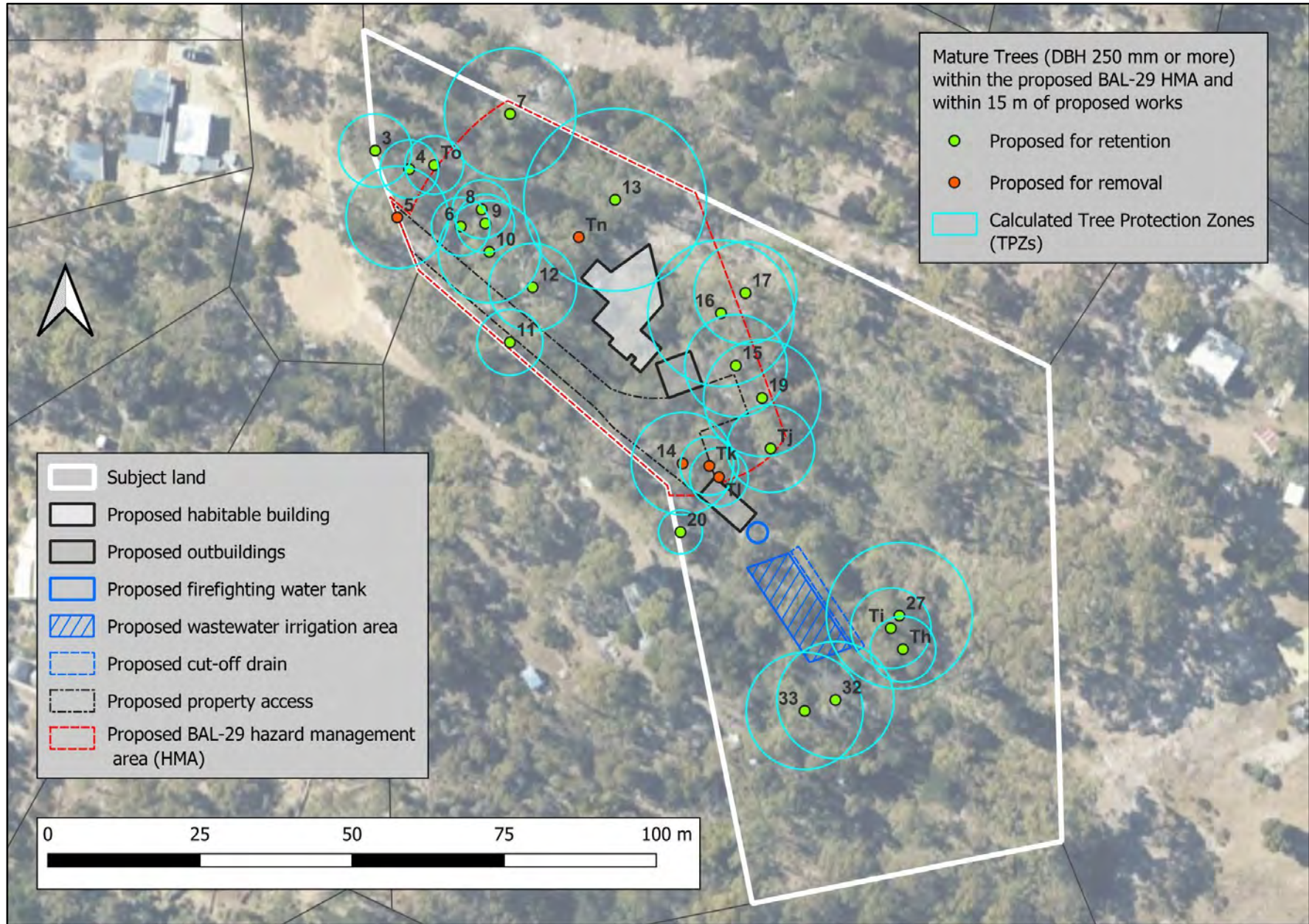


Figure 1 – Mature trees (DBH 250 mm or more) within the proposed BAL-29 HMA and within 15 m of proposed works

