

Break O'Day Draft LPS – Representation No 70 – Response to Section 35F Report

Cases for rezoning the following titles to Landscape Conservation Zone

Hearing Day 2 – Thursday 25 August 2022 - 10 am to 1 pm

Address	PID	CT	Rep No
686 German Town Road, St Marys	3450015	168012/2	4
German Town Road, St Marys	3314080	179552/1	19
158 German Town Road, St Marys	7627105	210430/1	60

Hearing Day 2 – Thursday 25 August 2022 – 2 pm to 4 pm

Address	PID	CT	Rep No
Schulhofs Road, Upper Blessington	6417093	169864/1	12
Schulhofs Road, Upper Blessington	6417085	169864/2	35

Hearing Day 3 – Friday 26 August 2022 - 9 am to 12 pm

Address	PID	CT	Rep No
Ansons Bay Road, Anson Bay	7184148	101081/1 101080/1	16
201 Terrys Hill Road, Goshen	6805379	239331/1 239332/1 239330/1 239329/1	37

Summary

In its Section 35F Report the Break O'Day Planning Authority provided a detailed analysis of the cases for rezoning the covenanted properties included in Representation No 70 by Conservation Landholders Tasmania. Titles on 12 of the 27 properties were recommended for rezoning to Landscape Conservation.

For seven of the properties that the Planning Authority did not recommend to be rezoned as requested by the landowners, Conservation Landholders Tasmania (CLT) disagrees with the Break O'Day Planning Authority's rationale for opposing the rezoning requests by the owners.

In our view the Planning Authority did not follow the 22 April 2021 Planners Portal advice with respect to the application of Landscape Conservation Zone to covenanted land for these titles.

CLT's written response to the Section 35F Report for the above seven properties, grouped by hearing, is presented for consideration by the Commission delegates and the Planning Authority well in advance to help progress discussion at the hearings.

Commission advice on the Planners Portal (22 April 2021)

This advice to Planning Authorities makes it clear that land with a conservation covenant 'will invariably have values' that make it suitable for Landscape Conservation Zone (LCZ). While avoiding spot zoning is a consideration it is not the only consideration.

The advice also states:

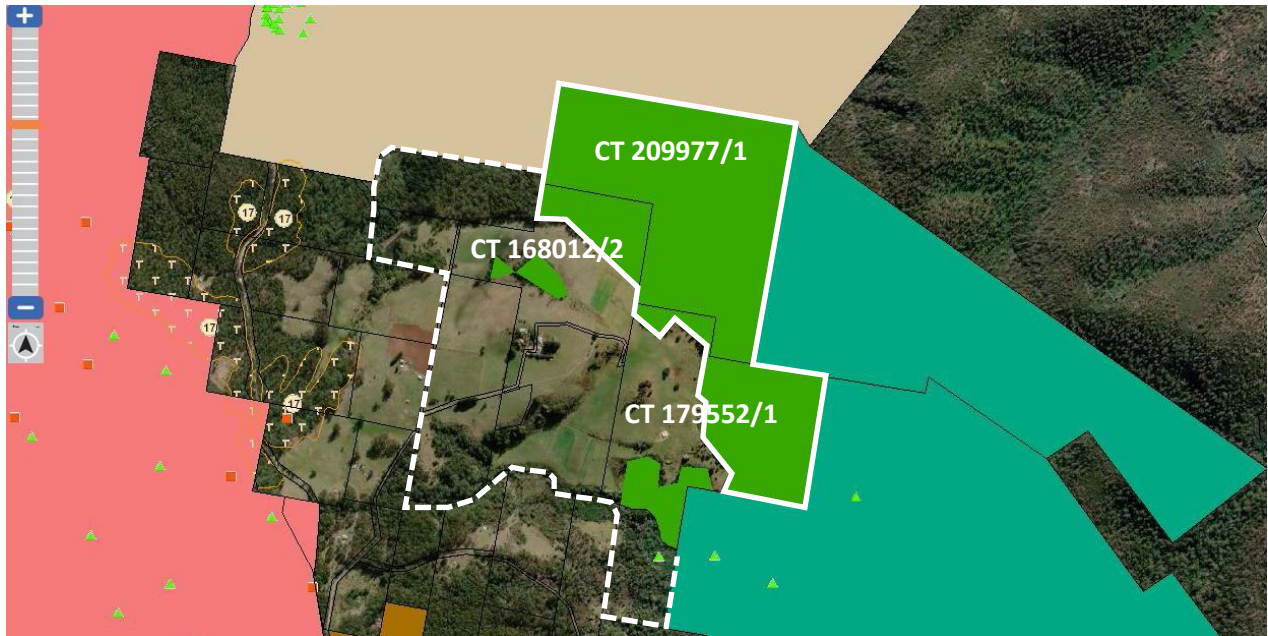
However, areas that have extensive conservation covenants (such as, a cluster of many, a large area, or both, or connectivity with other land zoned for similar values) may demonstrate good strategic planning merit for applying this zone.

The Break O'Day Planning Authority's interpretation of this advice with regard to 'a large area' and 'connectivity with other land zoned for similar values' differs from the interpretation accepted by the Commission at previous Draft LPS Assessment hearings.

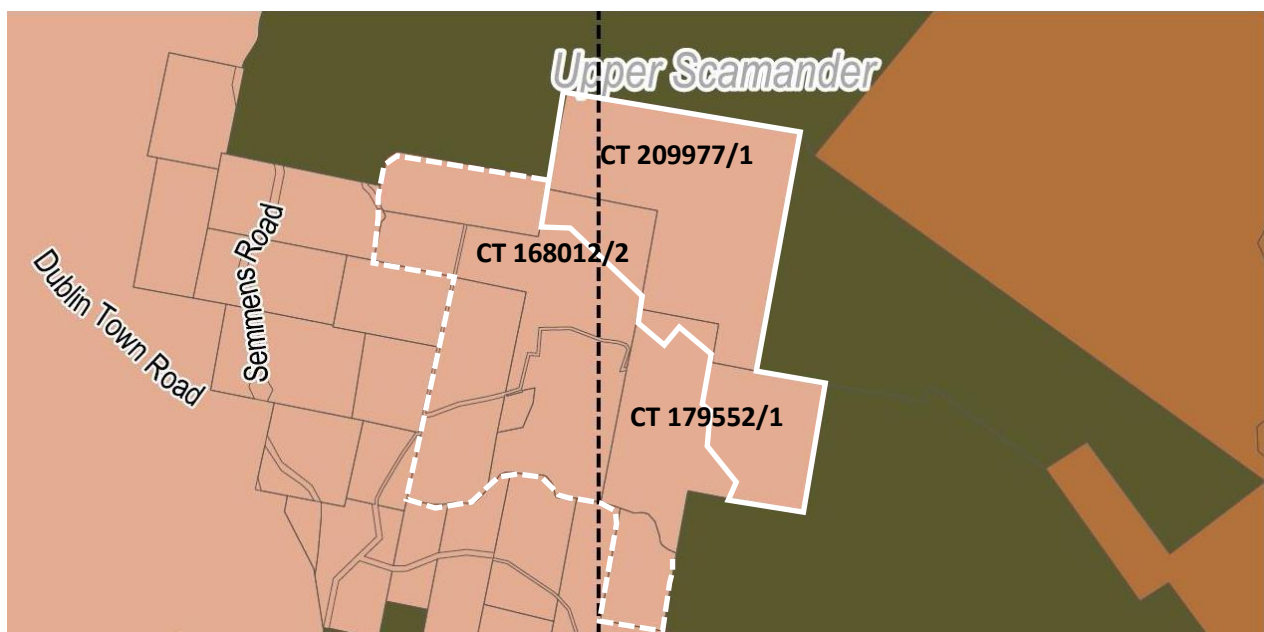
Hearing Day 2 – Thursday 25 August 2022 - 10 am to 1 pm

Case for rezoning the contiguous covenanted land on CT 168012/2 at 686 German Town Road (Rep No 4) and on CT 179552/1 at German Town Road (Rep No 19)

In the Section 35F Report in response to Representation No 4 and CLT's representation No 70, the Planning Authority recommended the rezoning of the 48.3 ha fully covenanted title CT 209977/1 to Landscape Conservation Zone but did not support the rezoning of the contiguous 7.2 ha of covenanted land on CT 168012/2 instead recommending that it remain as Rural Zone.



The land proposed for rezoning to Landscape Conservation in Representation Nos 4, 19 and 70 is shown with a solid white border with the balance of the affected titles to remain as Rural Zone (dashed white border). The two titles adjoining CT 209977/1 also containing covenanted land, namely CT 168012/2 and CT 179552/1, are proposed for split zoning with the contiguous areas of covenanted land to be included in LCZ.



The Planning Authority accepted the case for rezoning the 48.3 ha fully covenanted title CT 209977/1 based on its connectivity to the two large public reserves zoned Environmental Management. While it did not support the proposed split zoning of CT 168012/2 the Report acknowledged the merit of the proposal stating

Although the application of the Landscape Conservation Zone to the aforementioned properties would result in split-zoning, beneficial strategic planning outcomes can still be achieved including the avoidance of inconsistent zoning patterns via spot zoning and providing a zoning buffer between land that has been zoned Environmental Management and Rural. (p 23).

In its response to Representation No 70 regarding this property the Planning Authority also argued

The retention of Rural Zone within the Draft LPS for the sites, will allow the landholder to consider a range of land uses whilst also ensuring priority vegetation mapping is considered in the application of the Natural Assets Code for any future use or development.

This is only partly correct as the Natural Assets Code does not apply to use (SPPs C7.2.2).

The case for zoning as Landscape Conservation rather than relying on the Priority Vegetation Area provision of the Natural Assets Code is that LCZ provides protection against inappropriate use as well as inappropriate development. The SPPs make it clear that the application of zoning is the primary method for control of use and development.

Because the Natural Assets Code does not apply to Use destruction of threatened species and threatened vegetation communities can occur without planning control. For example, in the Rural Zone cattle would be allowed to graze the native vegetation as a No Permit Required use.

And with respect to Development, the 'Clearance within a priority vegetation area' (C7.6.2) provisions in the SPPs are much weaker than the 'Landscape protection' (22.4.4) provisions for Landscape Conservation Zone. For example, 22.4.4 requires that developments 'minimise native vegetation removal' but C7.6.2 allows 'clearance of native vegetation' provided that it is 'of limited scale relative to the extent of priority vegetation on the site'.

CLT maintains that the case for including the contiguous 7.2 ha of covenanted land on CT 168012/2 still stands based on the Planners Portal advice on the 'connectivity with other land zoned for similar values'. The proposed zone boundary on CT 168012/2 follows the covenant boundary and is simply defined by the cadastral parcel boundaries and three grid points as follows:

Latitude	Longitude
-41.52768	148.19620
-41.52770	148.19751
-41.52983	148.20056

The Section 35F Report response to the Representation Nos 19 and 70 requesting the rezoning of the neighbouring covenanted land on CT 179552/1 at German Town Road was essentially the same as for CT 168012/2 at 686 German Town Road.

Again CLT maintains that the case for including the 24.3 ha of covenanted land on CT 179552/1 is also the same. On this occasion the proposed zone boundary is defined by the cadastral parcel boundaries and the following 18 grid points, nine for each of the two polygons:

Latitude	Longitude
-41.53070	148.20034
-41.53142	148.20136
-41.53082	148.20208
-41.53169	148.20339
-41.53322	148.20305
-41.53343	148.20341
-41.53451	148.20319
-41.53576	148.20447
-41.53633	148.20415

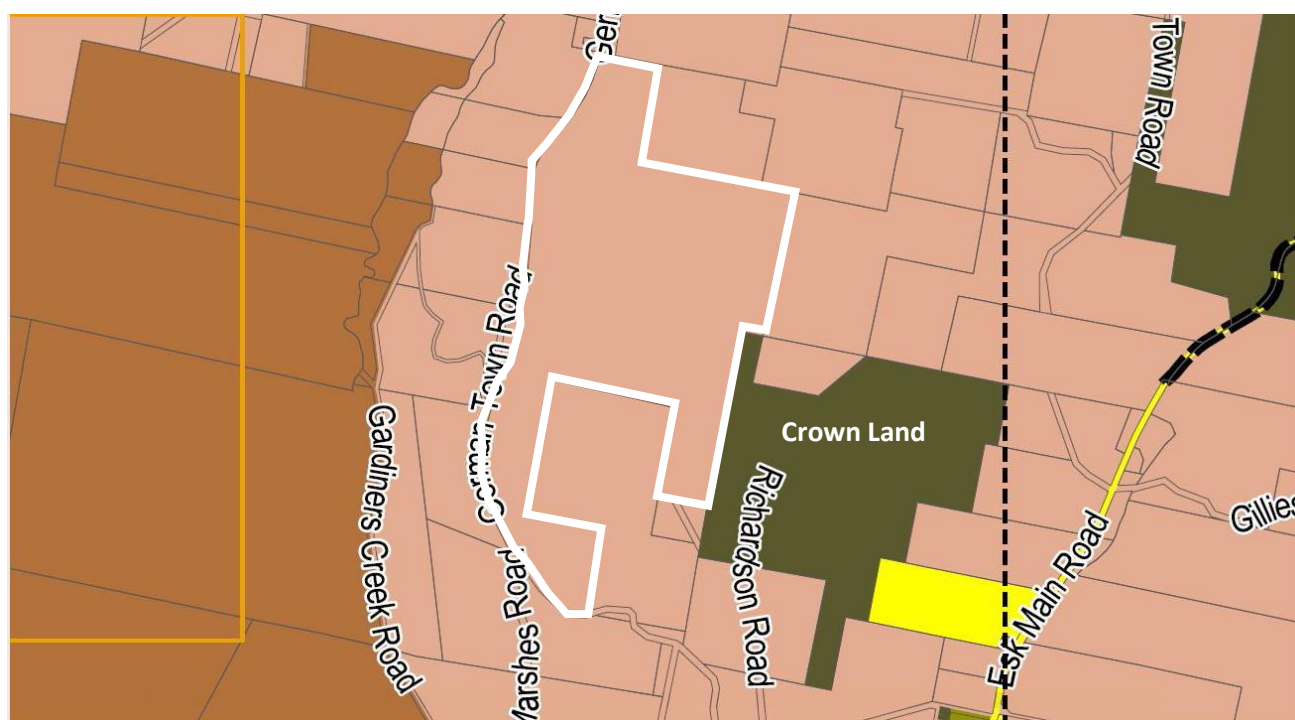
Latitude	Longitude
-41.53627	148.20369
-41.53556	148.20345
-41.53551	148.20236
-41.53601	148.20219
-41.53615	148.20136
-41.53540	148.20147
-41.53519	148.20091
-41.53534	148.20007
-41.53671	148.19977

Case for rezoning 158 German Town Road, St Marys (PID 7627105, CT 210430/1) – Rep No 60

In the Section 35F Report responses to Representation No 60 and CLT's Representation No 70, the Planning Authority did not support the rezoning request on the basis that only 22 ha of the 82.2 ha title is covenanted, with the balance covered by a Private Timber Reserve, that the landscape values of the title had not been identified, and

The retention of Rural Zone within the Draft LPS for the sites, will allow the landholder to consider a range of land uses whilst also ensuring priority vegetation mapping is considered in the application of the Natural Assets Code for any future use or development. (p 204)

Both Representations and the Section 35F Report overlooked the connectivity of CT 210430/1 to the adjoining 55 ha forested area of Crown Land (Tenure ID 44796) to its south-east, and this land is zoned as Environmental Management in the Draft LPS. The combined area of CT 210430/1 and the Crown Land is 137.2 ha.



This brings into play the Planners Portal advice that covenanted land with connectivity to other land zoned for similar values may demonstrate good strategic planning merit if zoned Landscape Conservation Zone.

While the 73% of non-covenanted part of the title is covered by a Private Timber Reserve, this is a legacy from a previous owner and the intention of the current owner is to apply to the Forest Practices Authority Board to have this removed as this land is no longer to be used for forestry purposes.

Also attached to this submission is an extract from the Nature Conservation Plan for the Newmans Creek Reserve (the name of the covenanted land) identifying the endangered Blind velvet worm and the Tasmanian wedge-tailed eagle. The Wedge-tailed eagle nesting habitat (low elevation) layer in ListMap shows 'high likelihood' habitat extending into the non-covenanted land as well.

Hearing Day 2 – Thursday 25 August 2022 – 2 pm to 4 pm

Case for rezoning the two properties at Schulhofs Road, Upper Blessington - (PID 6417093, CT 169864/1) and (PID 6417085, CT 169864/2) – Rep Nos 12 and 35

Ben Nevis North Reserve (CT 169864/1)

In the Section 35F Report in response to Representation No 12 the reasons given for not supporting the rezoning request are:

If the requested rezoning of the property to the Landscape Conservation Zone were to be applied instead [of Rural Zone], this would notably contribute to spot zoning as it is not currently co-located with land proposed to contain the requested LPS zone. (top of p 45)

... since the property is surrounded by land that has been proposed to be rezoned to the draft LPS Rural Zone, applying the Landscape Conservation Zone would not contribute towards consistent zoning patterns. (bottom of p 46).

The Planning Authority reported on its desktop analysis of the biodiversity on the title which found that there were no threatened vegetation communities but that it contained two flora considered significant for conservation and potential habitat for the non-listed Eastern quoll.

Evidence of the threatened species within the covenanted land is included in the Nature Conservation Plan for the Ben Nevis North Reserve attached to the Terms of Covenant. The threatened flora and fauna habitat based on field analysis that justified the covenanting of this land by the Minister for Environment on 4 July 2016 is included in the table on page 8 of the attached 3 page extract from the Plan.

Ben Nevis South Reserve (CT 169864/2)

In the Section 35F Report in response to Representation No 35 the reasons given for not supporting the rezoning request are:

The application of the LCZ to this standalone title would not be consistent with the application of the LCZ in this area. The land would not be contiguous with other LCZ titles or EMZ titles.

A change to this isolated title would be considered spot zoning and is not supported by the Planning Authority. Spot zoning would amount to an inconsistent approach to the application of the zones in the draft LPS. (top of p 116)

Ben Nevis North and South Reserves (CT 169864/1 and 169864/2)

In the Section 35F Report in response to CLT's Representation No 70 the reasons given for not supporting the rezoning request include:

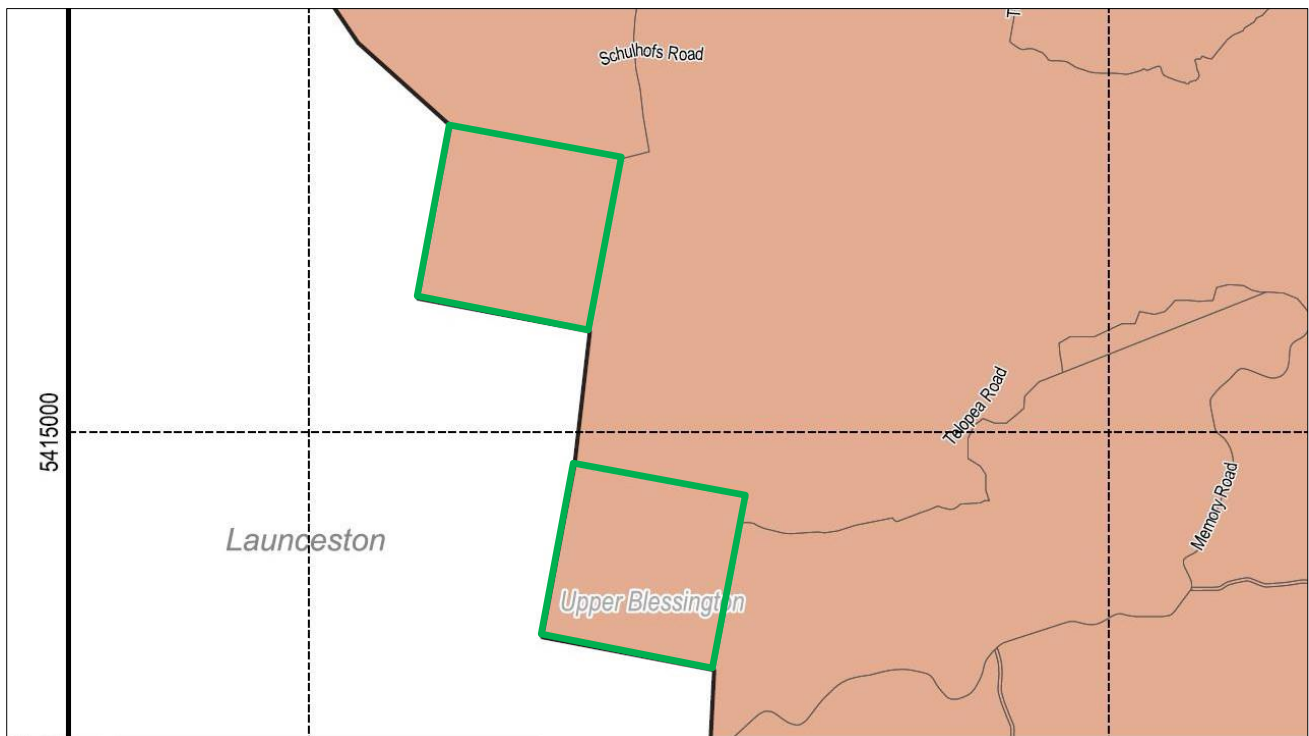
The titles do not support any mapped threatened native vegetation communities.

The restrictive covenant does not identify any Landscape Values for protection and conservation. (p 192)

The retention of Rural Zone within the Draft LPS for the sites, will allow the landholder to consider a range of land uses whilst also ensuring priority vegetation mapping is considered in the application of the Natural Assets Code for any future use or development. (p 193)

Planners Portal advice supports the case for Landscape Conservation Zone

The case for rezoning these two 120.0 ha titles to Landscape Conservation Zone still stands and is supported by the 22 April 2021 Planners Portal advice to planning authorities on the zoning of 'a large area' of covenanted land.



While spot zoning is to be avoided where possible, this is not the only consideration. Both titles are relatively large and are comparable in size to isolated public reserves zoned Environmental Management and are similar in size to several towns in the municipality, e.g. Fingal and St Marys.

While these titles do not contain threatened vegetation communities, both of the titles contain threatened flora, fauna and/or habitat detailed in their Nature Conservation Plans which justified the registration of the conservation covenants on over 90% of both titles.

The same Planners Portal advice states that

Guideline No.1 for both the Landscape Conservation Zone (LCZ) and Environmental Management Zone (EMZ) indicate that land which contains a conservation covenant will invariably have values that can result in the land being suitable for zoning in either the EMZ or LCZ.

Covenanted land invariably has landscape values because it contains large areas of native vegetation and, as argued previously for the two covenanted properties at German Town Road containing the Seaview Farm Reserve, LCZ provides stronger protection against vegetation clearance than the PVA provisions of the NAC.

Hearing Day 3 – Friday 26 August 2022 - 9 am to 12 pm

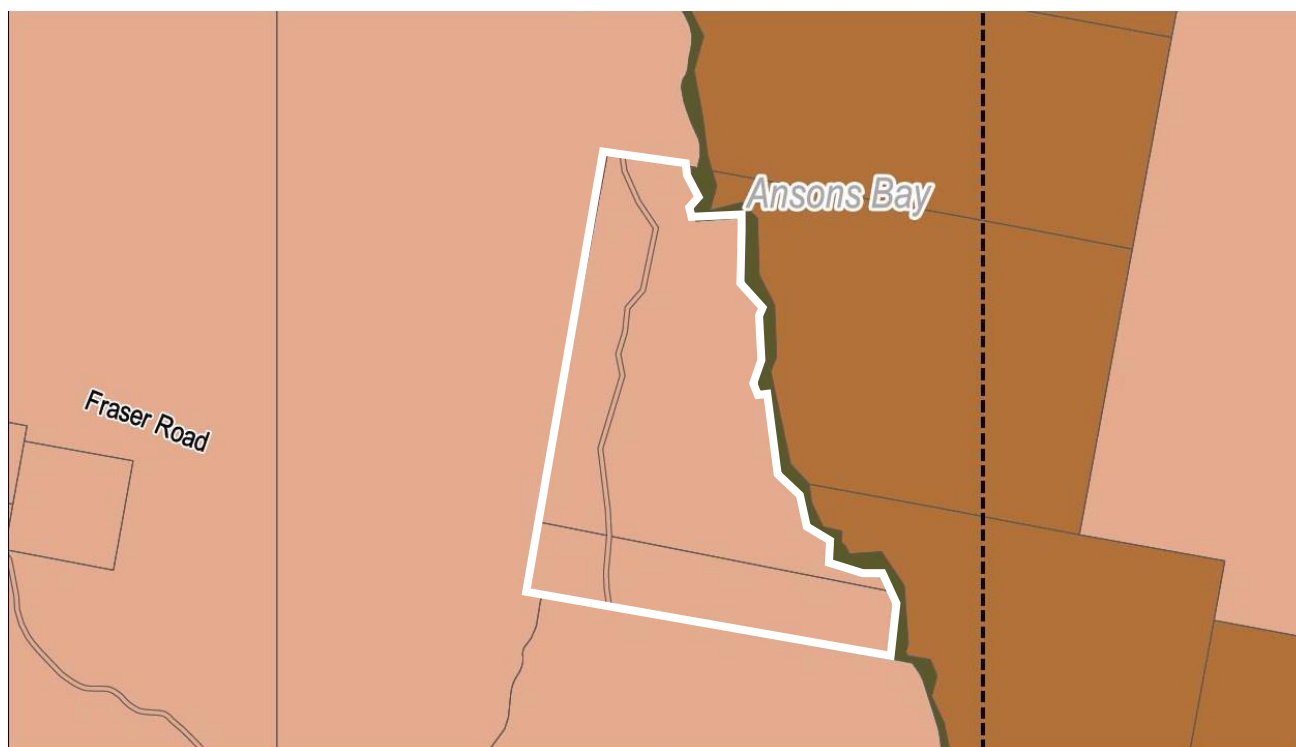
Case for rezoning Ansons Bay Road, Ansons Bay (PID 7184148, CT 101081/1, 101080/1) – Rep No 16

In the Section 35F Report the reason given for not supporting the rezoning request was

If the requested rezoning of the property to the Landscape Conservation Zone were to be applied instead, this would notably contribute to spot zoning as it is not currently co-located with land proposed to contain the requested LPS zone. (p 58 in response to Rep #16)

Application of the Landscape Conservation Zone will result in spot zoning with surrounding properties zoned Rural and Agriculture. There are no adjoining properties supporting Conservation Covenants. (p 186 in response to Rep #70)

While it is correct that these two titles do not adjoin other titles zoned Landscape Conservation or proposed for Landscape Conservation, the Planners Portal advice requires that 'connectivity with other land zoned for similar values' and size need to be taken into account.



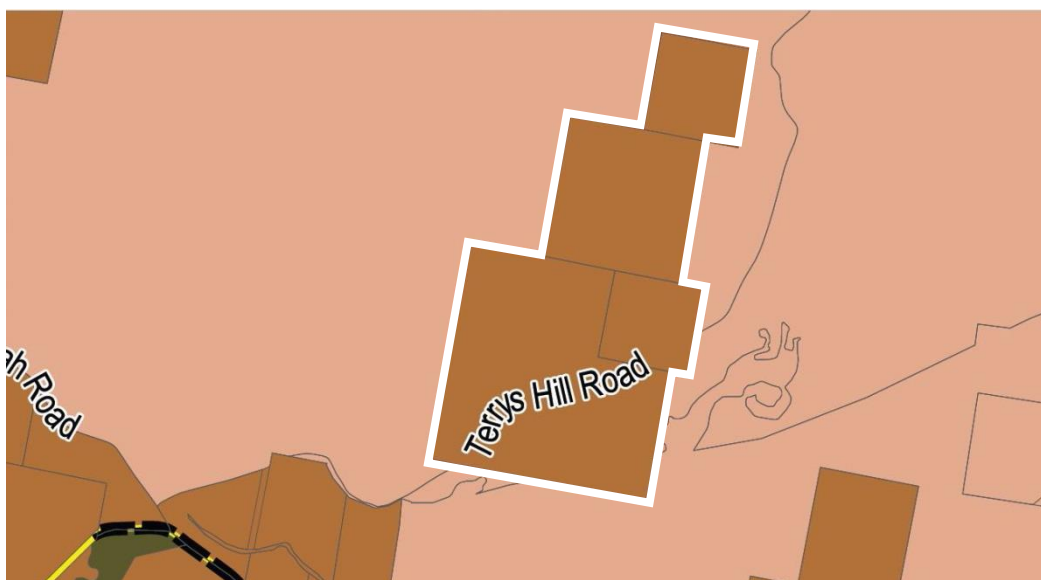
The 163.3 ha Ansons River Reserve across two titles adjoins the 70.3 ha Ansons River Conservation Area which in turn adjoins the 3,820 ha Mount William National Park to its north. Both of these public reserves are zoned Environmental Management and are therefore zoned for similar values. The Ansons River Reserve is also 'a large area'. While the Planning Authority is justified in describing the two titles at Ansons Bay Road as a potential spot zone, the Planners Portal advice indicates that their connectivity to the public reserves and the significant size would also justify the application of Landscape Conservation zone in this case.

Case for rezoning 201 Terrys Hill Road, Goshen (PID 6805379, CT 239331/1, 239332/1, 239330/1, 239329/1) – Rep No 37

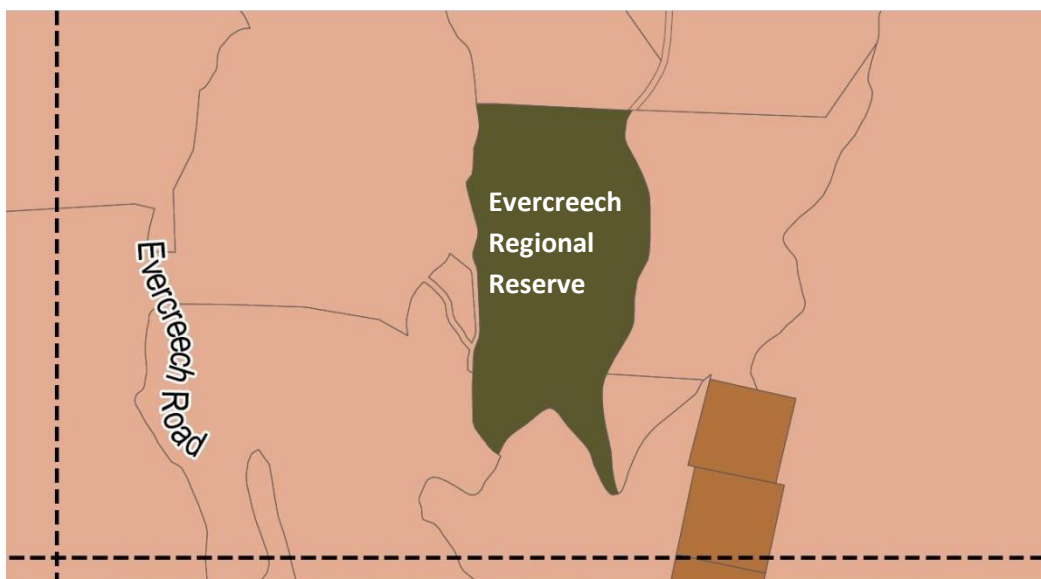
In the Section 35F Report the Planning Authority did not provide a response to CLT's Representation No 70 regarding this property and did not provide explicit reasons for opposing the case for rezoning of the four titles on this property to Landscape Conservation (LCZ) in its response to Representation No 37. Implicit in the response was the argument that rezoning the four titles to LCZ would create a spot zone.

The Planning Authority accepted that the exhibited Agriculture Zone was inappropriate for these four titles and that they contain important biodiversity values. Instead the Planning Authority recommended that the four titles be rezoned to Rural thereby allowing the PVA provisions of the Natural Assets Code to apply.

The case for rezoning this cluster of four titles with a total area of 80.9 ha to Landscape Conservation Zone still stands and is supported by the 22 April 2021 Planners Portal advice to planning authorities on the zoning of 'a large area' of covenanted land.



In the municipality there are many examples of similarly sized public reserves zoned Environmental Management surrounded by Rural Zone such as the 51.6 ha Evercreech Regional Reserve near Mathinna.



The same Planners Portal advice states that according to Guideline No 1 for Environmental Management Zone (EMZ) and Landscape Conservation Zone (LCZ)

land which contains a conservation covenant will invariably have values that can result in the land being suitable for zoning in either the EMZ or LCZ.

The SPPs make it clear that the application of zoning is the primary method for control of use and development. Given the combined size of the four titles and the recognised important biodiversity values on those titles, applying LCZ will provide stronger protection for both the landscape and biodiversity values than the Rural Zone with the PVA overlay, as recommended by the Planning Authority. The arguments in favour of applying LCZ rather than relying only on the PVA provisions of the NAC have been presented previously for the two covenanted properties at German Town Road containing the Seaview Farm Reserve.

As further evidence of the important biodiversity values of this covenanted land included in Representation No 37, a two page extract from the Private Forest Reserve Operations Plan is provided which details the nature conservation values described in Representations 37 and 70. As can be seen in the maps attached to Representation No 7, the cluster of four titles proposed for rezoning are all within the range of the threatened Bornemissza's stag beetle and would have adjoined the Protection Area for this species if the State Government had formalised this as a public reserve.

The only planning protection available for the proposed Protection Area for the surrounding FPPF land are the PVA provision of the Natural Assets Code as rezoning to Environmental Management is not an option under current Government policy. This limitation does not apply to the four titles including the Blue Tier Reserve and the proposed Landscape Conservation Zone should therefore be applied as requested.



John Thompson

On behalf of the Board of Trustees, CLT Trust

4 Background information

The Land was purchased with the intention of protecting the area from large scale clearance and to be managed for conservation. The Land captures dry ridge lines to the northeast and west and then drops sharply into a steep gully with several small creeklines. The forest has had many years of selective timber harvesting and in some areas eucalypts are absent.

5 Natural Values on the Land

5.1 Vegetation communities

The following vegetation communities are present on the Land:

Eucalyptus sieberi (ironbark forest) forest and woodland (DSO)

Eucalyptus sieberi forest and woodland not on granite is dominated by *E. sieberi* trees that can reach 40 m but are generally lower (25 – 30 m) on poorer quality sites. They are dry sclerophyll communities with an understorey dominated by tall shrubs. The medium and low shrub layers can be very sparse, as can the ground layer.

Eucalyptus obliqua (stringybark forest) forest and woodland (DOB)

Eucalyptus obliqua dry forests are dominated by *E. obliqua* trees typically of medium height (20-30m) and with well formed stems approximately half of the total tree height. In infertile, exposed coastal conditions, the community is a tall, heathy forest and trees may have a mallee form. The shrubby understorey is typically dense and diverse, and the ground layer sparse.

Eucalyptus amygdalina (black peppermint) forest on mudstone (DAM)

Eucalyptus amygdalina forest on mudstone is typically dominated by *E. amygdalina* and *E. viminalis* is a widespread co-occurring species. The community has a dry sclerophyll understorey, which is generally species poor. It is strongly associated with relatively dry sites on fine-grained sediments and metasediments of the Mathinna series (Devonian origin) in the north-east of the state. Tree height is typically less than 30 m, but may be higher on more humid or protected sites. On more insolated or infertile sites (e.g. parts of the Meehan Range), tree heights of less than 20 m are common, particularly where there has been a history of frequent fires.

Acacia dealbata (silver wattle) forest (NAD)

Acacia dealbata forest is a successional community found on disturbed sites, e.g. on old areas of improved pasture, stream banks and riparian corridors subject to flood disturbance and replaces wet forests and damp sclerophyll forest after fire. The canopy is variable in cover, but is most often composed of pure *A. dealbata* trees that can reach 20 m in height. The understorey is variable reflecting the diverse disturbance situations in which the community arises.

5.2 Threatened and/or priority species

The following threatened species &/or priority species are present on the Land:

Blind velvet worm (*Tasmanipatus anophthalmus*)

- This species is listed as endangered on Schedule 4 of the Tasmanian *Threatened Species Protection Act 1995* (See Appendix).

Wedge-tailed Eagle (*Aquila audax fleayi*)

A wedge-tailed eagle pair is resident on the Land. The nest site is shown on the map on page 16. The wedge-tailed eagle (*Aquila audax fleayi*) is listed as an endangered species under both the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* and Schedule 4 of the Tasmanian *Threatened Species Protection Act 1995*.

5.3 Other natural values or features of conservation significance

The Land may contain a number of interesting fungi some with conservation significance. A survey of fungi on the property was not undertaken but observations in the future may find such significant features.

6 Management Prescriptions, Authorisations & Recommendations

This section of the Plan may contain the 'Authorisations' from the Minister to the Owner as referred to in Clause 4.2 of the Conservation Covenant.

To achieve the objectives of this Plan, the Owner, the Minister and the Department must abide by the 'Management Prescriptions' detailed in this section of the Plan. These Management Prescriptions (listed in dot-point throughout this section) are:

- The conditions under which an Authorisation is provided; and/or
- The prescriptions issued by the Minister which are referred to in Clause 4.3 of the Covenant;

This section may also contain 'Recommendations' that the relevant parties should abide by.

6.1 Demarcation

- The Land must be clearly marked on the Owner's property map &/or farm management maps.
- The Owner must inform everyone undertaking activities &/or development in or around the Land about the existence and purpose of the Conservation Covenant as well as the location of the Land, and inform them of any relevant prescriptions listed below.
- Signs will be supplied by the Department to indicate the location and significance of the Land and to recognise the efforts of the Owner. These signs should be placed at strategic points around the Land (e.g. gates that enter onto the Land).

6.2 Threatened and/or priority species

A wedge-tailed eagle pair is resident on the Land and an active nest was located in July 2009 (see map page 16). This nest is referenced as "Nest #1012" on the Department's Tasmanian Raptor Nest Database.

The wedge-tailed eagle nest is located within the Land at grid reference 598758 East 5398540 North, GDA94 datum. The Land is 22 hectares in size and is to be managed as intact forest, free from habitat modification and with no disturbance during the Breeding Season. The larger the size of the area the greater the longevity of the site as productive nesting habitat.

The Owner is encouraged to contact the Department's Biodiversity Conservation Branch or Private Land Conservation Program to discuss any issues that relate to the management of the eagles nest or land managed for conservation. Attached to this Nature Conservation Plan is some background information on wedge-tailed eagles (see Appendix).

- The Department may periodically monitor the activity and/or productivity of the nest to gauge the effectiveness of current management regimes.
- **Breeding Season is 1st July to the end of February, inclusive.**
- **Critical Breeding Season is 1st August to 30th November inclusive.**
- The Owner will notify the Department of any proposed changes in land use on land adjacent to the Land so that management issues may be addressed.
- No activity is permitted within the Land during the Breeding Season that may potentially threaten the activity and/or productivity of the nest. Such activities include, but are not confined to, firewood collection, shooting, vehicle use, lighting of fires, some recreational pursuits and construction works.
- In exceptional circumstances, such as wildfire, there may be a requirement to access this area during the Breeding Season. In these circumstances, the Owner or delegate will seek approval from the Department before undertaking any activity in the Land, unless prompt action is required.
- Outside the Breeding Season, the Owner may undertake recreational pursuits in the Land.
- During the Breeding Season, the Owner must not conduct recreational pursuits on the Land. Noise levels from recreational activities undertaken in the surrounding areas should be kept to a minimum and all human activity should remain outside line-of-sight (see map showing nest site and visibility fields, page 21).
- To observe the nest during the Breeding Season, the Owner must only use practices that will not disturb the eagles. Direct observations of the nest are to be limited to two visits per Breeding Season after November.
- The Minister, in conjunction with the Owner, may develop specific management prescriptions if required for other threatened and/or priority species that are identified on the Land.

4 Background information

The property was purchased from Gunns Ltd by the Tasmanian Land Conservancy Inc. as part the New Leaf Project.

Ben Nevis North is a 120 hectare property situated on the western slope of Ben Nevis at 950-1070m altitude, approximately 40km due east from Launceston. The Land is completely forested but has been mostly logged by the previous owner, Gunns Ltd. Several different vegetation communities occur on the Land, including wet and dry eucalypt forest, rainforest and tea tree scrub. Two small streams, tributaries to the North Esk River, rise in the north west and south west corners.

The property is surrounded by land owned by the Crown and managed by Forestry Tasmania. An informal reserve on State Forest is upslope from the Land on the summit of Ben Nevis. The Land lies within 6-7kms of Ben Lomond National Park, Tombstone Creek Forest Reserve and North Esk Forest Reserve. Other large forest reserves in the northeast, Mt Maurice, Ringarooma, Paradise Plains and South Esk are within 10kms and the Mt Barrow State Reserve is 14kms to the west. The Land is linked to all these reserves by a network of informal state forest reserves.

5 Natural Values on the Land

5.1 Vegetation communities

The following vegetation communities are present on the Land:

Plant community	TASVEG code	Status under EPBCA*/ NCA**	Area (ha)
<i>Eucalyptus delegatensis</i> dry forest	DDE	-/-	88.4
<i>Eucalyptus dalrympleana</i> forest	WDA	-/-	10.8
<i>Eucalyptus delegatensis</i> forest over rainforest	WDR	-/-	7.4
<i>Eucalyptus delegatensis</i> forest with broad leaf shrubs	WDB	-/-	2.2
Total area (hectares):			108.8

*Australia Government Environment Protection & Biodiversity Conservation Act 1999

**Tasmanian Nature Conservation Act 2002

Eucalyptus delegatensis dry forest (TASVEG Code DDE)

This forest community occupies 75% of the Land. *Eucalyptus delegatensis* is dominant, with *Eucalyptus dalrympleana* present in places. The forest has been logged and the canopy is more open than it would be naturally. The understorey is largely dominated by *Leptecophylla juniperina* with *Lomatia tinctoria*, *Leptospermum lanigerum*, *Coprosma nitida*, *Stylidium* spp. *Pteridium esculentum* and *Poa rodwayi*. Patched of tall *Leptospermum lanigerum*, *Melaleuca ericifolia* and *Bedfordia salicina* occur, indicating moisture in places with ferns *Polystichum proliferum* and *Blechnum nudum* and herbs *Dichondra repens* and *Acaena novae-zelandiae* also present. Good fauna habitat exists throughout the forest.

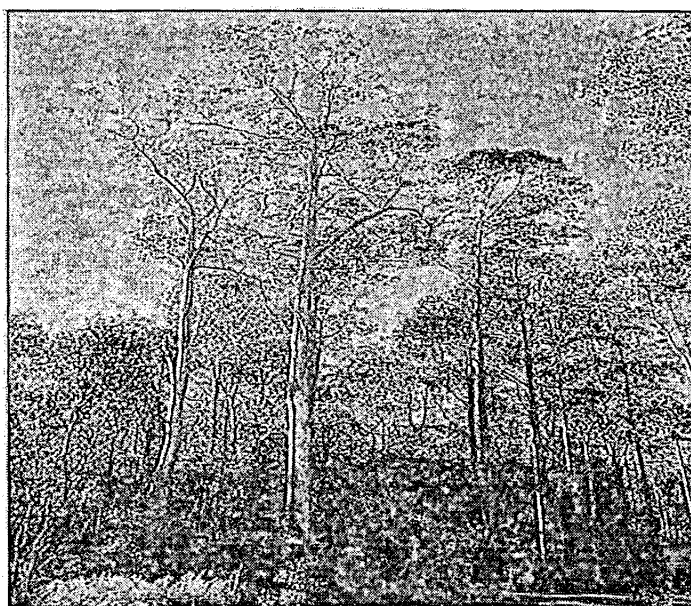


Eucalyptus delegatensis dry forest up slope from the road

Photo: Helen Morgan (Tasmanian Land Conservancy Inc.)

***Eucalyptus dalrympleana* forest (TASVEG Code WDA)**

Eucalyptus dalrympleana dominates with *Eucalyptus delegatensis* present as subdominant and sometimes co-dominant, over an understorey similar to *Eucalyptus delegatensis* dry forest described above although with a greater diversity of wet understorey species present. Moisture favouring species such as *Bedfordia salicina*, *Tasmanica lanceolata*, *Leptospermum lanigerum*, *Coprosma hirtella*, *Dianella tasmanica* and *Drymophila cyanocarpa* occur throughout the understorey in addition to *Leptecophylla juniperina*, *Lomatia tinctoria*, *Coprosma nitida*, *Stylidium* spp. *Pteridium esculentum* and *Poa rodwayi*. Areas of dense ferns *Dicksonia antarctica*, *Blechnum nudum* and *Blechnum wattsii* exist in gullies, beneath the eucalypt canopy, with a tall mid-storey of *Leptospermum lanigerum*.



Eucalyptus dalrympleana forest over *Leptospermum lanigerum* and dense ferns

Photo: Helen Morgan (Tasmanian Land Conservancy Inc.)

***Eucalyptus delegatensis* forest over rainforest (TASVEG Code WDR)**

Eucalyptus delegatensis forest over rainforest occurs in moist and shaded situations in the gullies near streams. *Eucalyptus delegatensis* is dominant, with *Eucalyptus dalrympleana* present over rainforest trees *Notelaea ligustrina* and *Acacia melanoxylon* and shrubs including *Tasmannia lanceolata*, *Olearia argophylla*, *Bedfordia salicina*, *Leptospermum lanigerum* and *Pimelea drupacea*, with occasional ferns, *Dicksonia antarctica* and *Polystichum proliferum* and dense beds of *Blechnum nudum*.

5.2 Threatened and/or priority species

The following threatened species may occur on the Land based on the availability of suitable habitat:

Species	Status under EPBCA*/ TSPA^	Type & date of record	Comments
Flora:			
<i>Acacia pataczekii</i> (wally's wattle)	-/r	NVR within 5000m	May be too high altitude. PAG comment -potential to occur
<i>Acacia axillaris</i>			PAG comment – potential to occur
Fauna:			
<i>Accipiter novae-hollandiae</i> (grey goshawk)	-/e	NVA Habitat mapping	Potential nesting sites in gullies
<i>Aquila audax</i> subsp. <i>fleayi</i> (wedge-tailed eagle)	EN/e	NVA Habitat mapping	Potential nesting sites
<i>Dasyurus maculatus maculatus</i> (spotted-tailed quoll)	VU/r	NVA Habitat mapping	Potential den sites and hunting territory, highly likely
<i>Lathamus discolor</i> (swift parrot)	EN/e	NVA record within 5000m-sight 1978 (?)	Potential habitat, on migration path, resting/perching habitat
<i>Litoria raniformis</i> (green and gold frog)	VU/v	NVA habitat mapping	Some potential habitat in creeks & pools but may not be permanent
<i>Perameles gunnii</i> (Eastern barred bandicoot)	VU/-	NVA record within 5000m-sight 1975 (?)	Some potential habitat but limited grassy areas for foraging
<i>Sarcophilus harrisii</i> (Tasmanian devil)	EN/e	NVA record within 5000m-sight 2009	Potential den sites and hunting territory, highly likely
<i>Tyto novaehollandiae</i> (Tasmanian masked owl)	PVU/pe	NVA habitat mapping	Potential habitat, highly likely, a few suitable trees

*Australian Government Environment Protection & Biodiversity Conservation Act 1999

^Tasmanian Threatened Species Protection Act 1995

1 Boundaries of the CAR Reserve

The Reserve is shown on the attached map (see page 13).

2 Nature conservation values in the Reserve (CAR Values)

Forest communities

Shrubby *Eucalyptus ovata* forest

The proposed reserve supports approximately 15 hectares of the endangered community shrubby *Eucalyptus ovata* (black gum) forest. The state-wide and bioregional reservation targets for this community are 100% of the current extent.

This vegetation type occurs mainly on poorly drained flats in lowland areas (<600m) dominated by *E. ovata* (swamp or black gum) and/or *E. viminalis* (white gum). The substrate is often alluvium, but can vary. Most patches are small (<10 ha), with only a few large patches (>50 ha) remaining, mainly on private land. Shrubby *E. ovata* – *E. viminalis* forest has been extensively cleared from river valleys and flats since European settlement.

Acacia melanoxylon (blackwood) forest on rises

The proposed reserve supports approximately 4 hectares of the community *Acacia melanoxylon* (blackwood) forest on rises. The bioregional reservation target for this community is 100% of its current extent because it is a rare community within the bioregion. The statewide reservation target for this community has been met.

Most stands of this community consist of regrowth that forms a dense forest. A single age class of *A. melanoxylon* is usually present, with the age relating to the disturbance event. As the stand matures, there is a decrease in density of *A. melanoxylon* and rainforest and wet sclerophyll species become more prominent in the understorey and secondary tree layer. A prolonged period without fire (>200 years) will see the *A. melanoxylon* forests succeeding to pure rainforest. The long viability of *A. melanoxylon* seed allows this species to regenerate following disturbance to forest types (e.g. rainforest) which have no living *A. melanoxylon* at the time they are burnt or otherwise disturbed.

The understorey is a mixture of wet sclerophyll shrubs, eg *Pomaderris apetala* (dogwood), *Leptospermum* spp. (tea-tree), and rainforest species, eg *Nothofagus cunninghamii* (myrtle), *Atherosperma moschatum* (sassafras) and *Eucryphia lucida* (leatherwood). Ferns and occasionally *Gahnia grandis* (cutting grass) are the main ground layer species.

Dry *Eucalyptus obliqua* forest

The proposed reserve supports approximately 9 hectares of dry *Eucalyptus obliqua* (stringy bark) forest. This forest community requires reservation within the Ben Lomond bioregion to meet reservation targets. The statewide target for this community has been met.

This community is widespread in northern, eastern and southeastern Tasmania. It occurs extensively from sea level to about 300m, though in warmer climatic zones will extend up to about 600m. *E. obliqua* dry forest is associated with three substrate types: dolerite, argillaceous substrates (mudstones and metamorphosed mudstones) and siliceous substrates including granites and sandstones.

Typically, the understorey is shrubby. The shrub layer is dense and species diverse, and the ground layer sparse. Where the shrub layer is dense, common species include *Acacia dealbata* (silver wattle), *Exocarpos cupressiformis* (native cherry), *Allocasuarina littoralis* (bull-oak), *Lomatia tinctoria* (guitar plant) and *Epacris impressa* (common heath).

Tall *Eucalyptus obliqua* forest

The proposed reserve supports approximately 22 hectares of tall *Eucalyptus obliqua* (stringy bark) forest. This forest community requires reservation within the Ben Lomond bioregion to meet reservation targets. The statewide target for this community has been met.

This community occurs extensively throughout the northwest, central north, northeast, east and southeast of Tasmania in regions of relatively high rainfall. The community does not show strong associations with particular soil types. The trees are usually very tall and the understorey is typically composed of broad-leaved shrubs, the most common including *Pomaderris apetala* (dogwood), *Pittosporum bicolor* (cheesewood, tallow-wood) and *Olearia argophylla* (musk), with a high proportion of ground ferns.

Threatened and/or priority species

Hoplogonus bornemisszai (Bornemisszas stag beetle) occurs only in the Goulds Country area and is restricted to an area of 970 hectares (unpublished data). The species is listed as endangered due to its restricted distribution and its severe population decline. The proposed reserve is the largest privately owned property within the species range.

The Bornemisszas stag beetle is a large, flightless, black beetle with a body length up to 24mm. The male has large elongated, clasping jaws protruding from the head. These jaws are significantly smaller in females. The species prefers tall, relatively undisturbed, wet or damp forest with a well-developed litter layer. It also occurs within the riparian zones in drier forests.