

TASMANIAN PLANNING COMMISSION



Our ref: DOC/23/107230
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11 October 2023

Mr Gary Arnold
General Manager
Kingborough Council

By email: kc@kingborough.tas.gov.au
astander@kingborough.tas.gov.au

Attention: Adriaan Stander

Dear Mr Arnold

Kingborough Interim Planning Scheme 2015
Draft amendment PSA-2022-3
Update Appendix 1 - Referenced and Incorporated Documents
Public Open Space Contribution Policy and Biodiversity Offset Policy

I refer to the above draft amendment and to a hearing held at the Commission's office in Hobart on 5 September 2023.

During the hearing, the Commission reviewed the respective Policies from the perspective of how the policies would effectively operate in the Kingborough planning system. A number of editorial matters were discussed, and the Commission considers that there would be benefit if those matters were further reviewed by the planning authority. The matters concern the Biodiversity Offset Policy. The Commission invites the planning authority to further consider the matters listed below.

1. The planning authority is to provide a revised Biodiversity Offsets Policy to the Commission by **24 November 2023**, which is endorsed by Council, responding to the drafting issues raised at the hearing:

2.7	Delete 'DPIPWE' and replace with 'NRE'.
2.10	Insert 'is' after 'Therefore, what is in the vicinity'.
5.2.1	Correct the reference to the 'Guidelines for the use of Biodiversity Offsets from Pitt & Sherry 2011' to 'Southern Tasmanian Councils Authority 2013'.
5.2.2	Delete reference to 'as amended from time to time' to remove uncertainty as to which document is referenced.
6.3	Correct the reference to 'special circumstances (iii)' to 2.8.3.
6.4	Correct the reference to 'special circumstances (iv)' to 2.8.4.
6.6.1	Amend reference to the Tasmanian Reserve Estate to include 'as shown on the LIST'.

6.12.1	Change the reference to the Vegetation Condition Manual including adding the version number and date and include it as related document.
6.13.2	Insert the words 'in light of specialist advice' after 'threatened species that have a greater risk of extinction'.
6.14	Amended the policy as required to identify that the Guidelines for Kingborough Environmental Fund are made publicly available on the Kingborough Council website.
Table 1: Offsetting Options c) financial offsets	Consider removing the words 'up to' or alternatively modify the policy to identify the rationale/criteria as to how Council must exercise the discretion to vary the quantum.
Table 2	Consider providing a reference, such as a footnote, for the associated documents that specify the required distances in relation each species. Consider providing more information on what the IUCN criteria are for priority species.
Related documents	Correct the reference to the Guidelines for the use of Biodiversity Offsets from Pitt & Sherry 2011 to Southern Tasmanian Councils Authority 2013. Add the Kingborough Environmental Fund.

2. The planning authority is to provide a revised draft amendment to the Commission by **24 November 2023**, responding to the drafting issues raised at the hearing as follows:

2.1 incorporated documents	Revise the draft amendment to insert the following incorporated documents: <ul style="list-style-type: none"> • The Guidelines for Natural Values Surveys as an incorporated document. • The Vegetation Condition Manual (with references)
2.2 Biodiversity Code	Consider editorial corrections to the Biodiversity Code including: <ul style="list-style-type: none"> • E10.7.1 P1 - inclusion of 'and/or'; • E10.7.1 P1 (c)(v) - delete full stop and replace with '; and'; • E10.8 P1 - inclusion of 'and/or' and delete full stop and replace with '; and'; • Any other incidental corrections to the Code.

3. That any response submissions be provided to the Commission by **8 December 2023**.

Submissions must be made by email to tpc@planning.tas.gov.au. Once received, the submissions referred to above will be made available under the [relevant assessment](#)¹ on the Commission's website.

¹ <https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/am-kin-psa-2022-3>

Please note that submissions will be published in full, without redaction.

If you require further information please contact Karen Fyfe, Planning Assistant,
on 03 6165 6808.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Ramsay'. The signature is fluid and cursive, with the first name 'John' and the last name 'Ramsay' clearly distinguishable.

John Ramsay
Delegate (Chair)

cc representors