

**From:** [Danielle Gray](#)  
**To:** [TPC Enquiry](#); [Information Management](#)  
**Cc:** [Steve Townend](#); [ctownend](#)  
**Subject:** HVC LPS: Further information post hearing for Representation #103 for Townend at 149 Narrows Road at Strathblane  
**Date:** Friday, 28 July 2023 3:44:47 PM  
**Attachments:** [149 Narrows Road additional informaiton about removal of Biodiversity Protection Area overlay July 2023.pdf](#)  
**Importance:** High

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Dear Mr Ramsay,

Thank you for you and the panel's time in the HVC LPS hearing on Thursday 6 July 2023.

I make reference to the representation prepared for Steve and Cheryl Townend regarding their property at 149 Narrows Road Strathblance (representation #103).

I also make reference to your correspondence received 14 July 2023 which requests further information about the application of the Biodiversity Protection Area overlay on 149 Narrows Road as discussed at length in the hearing.

I attach an outline of reasons as to why the overlay should, at most, be restricted to a small area in the far south of the property and be removed from running along western and eastern and northern title boundaries as well as over pasture area.

Our request would be that preferably, in the absence of any ground truthing, that the Overlay is not applied at all. But at most, it is restricted only to the green area I have highlighted in a map in the attached document.

The overlay should only apply to the treeline of identified native forest communities on the subject site and should not encroach within any cleared pasture or over any isolated trees in pasture or those running along title boundaries that can be removed without any approval under Exemption 5.4.1(h).

I also include a Dropbox link of images supplied by the property owners Cheryl and Steve Townend that are lettered according to a site map they have also prepared showing the location of where images were taken. You will note that most trees running along the western and eastern title boundaries are either on, or in very close proximity to, boundaries as fencelines can be clearly seen.

<https://www.dropbox.com/scl/fo/z1khydr60kh0j77iphut/h?rlkey=6ivt1muq23b8or7dhse0ihjyg&dl=0>

Thank you for considering our request. If you require any further information, please get in touch.

Regards

Danielle

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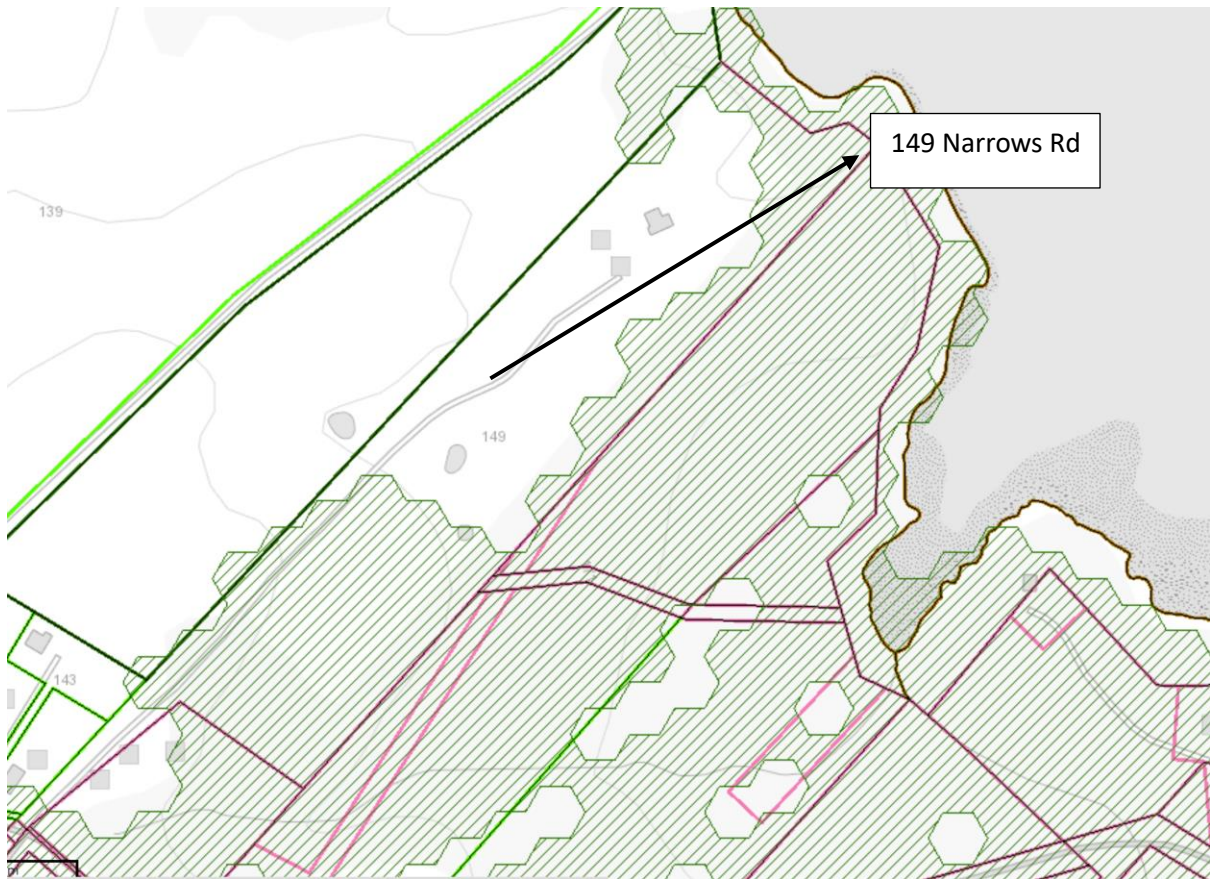
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149 Narrows Road (arrowed). Green shading is the current extent of Biodiversity Protection Area overlay. See below aerial photo image. To be noted is that the overlay does not cover isolated Eucalyptus trees on land to west – lot 1 Narrows Road (CT152346/1) and also land further west at 139 Narrows Road (CT-152346/2).





**Requested application of Protected Vegetation Area overlay that will trigger C7.0 Natural Assets Code**

In keeping with the pattern of the current application of the overlay under the Interim Planning scheme, it is requested that the overlay instead be only apply to 149 Narrows Road in the far south of the subject site – **the area outlined in green below**. This area contains large mature Eucalypts with native understorey (not pasture as with the rest of the site) within the subject site in a clustered location that directly links with larger areas of thick vegetation to the east at 171 Narrows Road (CT159497/2).



Remaining vegetation along fencelines as provided in photos and a location map prepared by the property owners shows vegetation along the western side boundaries is either located outside the fenced title boundaries (images E, F, G and H) or is located in very small isolated clumps of smaller trees surrounded by pasture.

It is also noted that the Overlay has not been substantially applied to the immediate neighbour to the west at Lot 1 Narrows Road Strathblane (CT152346/1), despite similar vegetation patterns of vegetation as 149 Narrows Road (isolated individual trees in pasture or with bracken fern undergrowth).

A further comment with respect to the placement of the Overlay along title boundaries is that such vegetation can be readily removed without any permits under the Planning Scheme Exemptions. It is considered that the Overlay should not be applied in thin strips to vegetation that is in very close proximity to boundaries as such vegetation can be removed without any planning permit.

The Planning Scheme enables vegetation (even that covered with an overlay) to be removed for the maintenance and construction of boundary fences.

With respect to trees along the boundary fence lines of 149 Narrows Road which the Overlay covers and runs along boundaries, under clause 5.4.1 of 5.0 Exemptions in the Planning Scheme, there is an exemption for vegetation removal in close proximity to a boundary.

This exemption applies to all and any vegetation removal (even that covered with a Biodiversity overlay) within 1.5m of an fence as per (h) of clause 5.4.1 which states: *within 1.5m of a lot boundary for the purpose of erecting or maintaining a boundary fence*

Should the owners of 149 Narrows Road need to repair or replace their side boundary fences, a substantial extent of the Eucalyptus running along the western side boundary would be able to be removed under this exemption. This would leave few trees remaining along the western side boundary and little justification for the application of the overlay in the area in any case. These trees along the western side boundary are not part of a large community of vegetation and comprise isolated trees that appear to have been planted as a boundary windbreak.