



15 December 2023

Our Ref: 17/82
Enquiries to: Rong Zheng

Mr J Ramsay
Delegate (Chair)
Tasmanian Planning Commission
GPO Box 1691
HOBART TAS 7001

Email: tpc@planning.tas.gov.au

Dear Mr Ramsay

**RE: DRAFT HUON VALLEY LOCAL PROVISION SCHEDULE (LPS) – LPS-HUO-TPS –
DIRECTION 27**

I write in response to the Commission's directions issued on 9 August 2023.

Direction 27 requested the following information:

Upon the submission and publishing of the Natural Values Assessment required as a consequence of Direction 26, the planning authority is to provide further advice as to whether any modification ought to be made to the Priority Vegetation Area overlay applying to Channel Highway, Gardners Bay, folio of the Register 46193/1.

Response

The Natural Values Report (NVR) provided has been prepared in support of a development application under the current Scheme. It only has relevance to Direction 27 - 9 August 2023 in that it clarifies to some extent the relative proportions of cleared and forested land on the property. The overlay extent could be trimmed to the boundaries of native vegetation in line with Councils' policy of not having the overlay on cleared land, but the Planning Authority is not comfortable making any recommendation at this time due to the issues the report raises, as outlined below.

- The NVR identifies a range of recent vegetation clearance and vehicle track upgrades. Given that no existing DA or permit was referred to in the hearings, it is unclear whether the works have been undertaken in advance of any permit. The Planning Authority is not sure any overlays should be modified to accommodate

significant unapproved works, particularly given the significant threatened species values on the property that may need to be considered.

- The NVR refers to a second report which identified an eagle nest in the northwest of the property and two grey goshawk nests in the south of the property - Raptor and Swift Parrot Assessment Report: Gardners Bay DA350/2022, D. Young. The Planning Authority needs to see that report and its' conclusions before making any conclusions of my own. The fact that the DA reference in this report is from 2022 suggests there is a history to this site that was not part of discussions during the hearings.
- As elaborated during the hearings, provision of adequate buffers from raptor nests is one justification for having some cleared land within the PVA overlay. The proposed access (which appears from photos to have already been constructed) passes within 130 m of the eagle nest and within 50 m of goshawk nests. The proposed habitable buildings, as well as the significant earthworks that have already been undertaken, lie within 250 m of the eagle nest and are probably going to be line-of-sight to that nest. Current guidance from DNRE recommends no development within 500 m or within 1 km line-of-sight of wedge-tailed eagle nests.



Figure 1 Google Earth 2019



Figure 2 Google Earth Jan 2022



Figure 3 Google Earth Dec 2022



Figure 4 Google Earth Jan 2023

If you would like to discuss this matter further, please do not hesitate to contact Rong Zheng direct on 6264 9467.

Kind Regards

A handwritten signature in blue ink, appearing to read 'Rong'.

RONG ZHENG
PROJECT MANAGER – STRATEGIC LAND USE