
From: youtechno [REDACTED]
Sent: Sunday, 3 May 2026 9:55 PM
To: Kingborough LPS
Subject: Rural living zone request letter
Attachments: TPC letter NO LCZ.signed pdf.pdf; Snug Tiers Settlement by lot - map a.pdf; Snug Tiers Living Intent - map b.pdf; Natural Values Report, Richardson_Snug, July 2018 (with EMP).pdf; 19030, Scenic Landscape Code assessment, [REDACTED], Snug V1.0.pdf

To the Tasmanian Planning Commission,

Hi,
we, Yumi Takasuga and Jonathan Richardson attached a letter to request for rural living zone.

Thank you for taking your time to read our letter.

Please contact to [REDACTED] or [REDACTED] if you have any questions.
Since I am sending this email from my father's email, if you reply to this email, we won't be able to check.

Thank you

Kind regards,
Yumi Takasuga and Jonathan Richardson

Name(s)	Yumi Takasuga Jonathan Richardson
Date	1/5/26
Property Address	Snug
Requested Zone	Rural Living Zone

To the Tasmanian Planning Commission,

Hello, our names are Jonathan Richarson and Yumi Takasuga. Thank you for the chance to speak about our property at Snug.

I object to its rezoning under the Kingborough Draft LPS and Irenelnc review to the Landscape Conservation Zone (LCZ). Applying LCZ is inconsistent with section 34 of the Land Use Planning and Approvals Act 1993 (LUPAA), the LPS Section 8A Guideline No. 1, and the Southern Tasmania Regional Land Use Strategy (STRLUS).

Rural Living Zone (RLZ) B (minimum lot size 2 ha) would be more suitable. I respectfully ask the Commission to apply this zone, in line with the original purchase, zoning allowances, and the site's current or future residential use. RLZ is also proposed for adjoining properties at 110, 120 and 128 Snug Tiers Road.





We purchased our property in 2017 to build our dream home and raise our young child in this natural environment and also we saw the possibility to extend our house and to build a unit for our son in 10 to 20 years to help him financially as the house price rising rapidly in recent years.

When we came to see the property for the first time, it gave us a sense of serenity. We fell in love with the contrast between Australian eucalyptus forest on the top block and rainforest at the bottom block.

Since construction of our house completed in 2022, we have been enjoying the gift from the nature. We love watching wallabies jump around the yard, spotted quolls make sounds at the back door and so many different kinds of birds such as scarlet robins, willie wagtails, black cockatoos, magpies fly around the house. It has been such a joy to witness all those baby animals and birds grow up in our property.

We also enjoy the privacy. We love looking our natural environment through the glass windows, while having a bath. We think it is a privilege living in the rural area.

Lately, our son asked for pet chickens and we welcomed four chickens into our family. Those chickens grew up in the cage till then but now they are freely exploring our property.

We enjoy living with and within nature. So hearing about rezoning last year, it has been adding a great stress to us. Especially we are worried about the fire safety and the increase of insurance fees. It was terrifying experience when snug fire occurred last summer. I was hoping the council to ask each property to be more prepared for fire safety (eg. Thinning the bush, widening the clearing from the house and so on). However, we got the totally opposite message. If LCZ aim to conserve all trees, our safety won't be the priority.

While I agree that Tasmania's landscapes should be protected, I believe it can be done best through RLZ as it has been done historically through ELZ and Rural Residential zonings. Rezoning to LCZ would harm our continuous use of the land as allowed when purchased.

LCZ DOES NOT COMPLY WITH LUPAA ZONE GUIDELINES

Section 34 of LUPAA says the Commission must check if the LPS meets the Act's criteria, including zone guidelines. LCZ 4(a) states that LCZ should NOT be used where the land's **'priority is for residential use and development'**.

The guidelines say LCZ is not for large residential lots ‘characterised by native vegetation cover and other landscape values.’

When purchased, my property was zoned Environmental Living. My property is currently zoned Environmental Living (ELZ). The **primary use and strategic intention of the land is and has always been residential**. It has a dwelling built in 2022, has been occupied continuously, and is serviced by council approved road and mains electricity. There’s no evidence the land’s primary use is anything other than residential.

LUPAA guidelines also state LCZ is not a replacement for ELZ. The priorities don’t match: ELZ Living priority permits dwellings, but LCZ prioritises conservation with discretionary dwellings.

In correspondence with the Planning Authority, the TPC noted that the LCZ “appears to have been used ...to replace ELZ”, a policy or strategy shift which should be ‘comprehensively justified’. Neither the draft LPS nor IreneInc’s review has provided detailed, site-specific reasons for changing my land’s priority. They based their decision on general landscape values and rural settlement judgments, neither had community input.

LCZ DOES NOT COMPLY WITH LUPAA OBJECTIVES

LUPAA Schedule 1, Objective (b), aims for ‘fair, orderly, and sustainable’ land use. Applying LCZ conflicts with this objective. It is unfair to remove permitted residential use; applying LCZ represents a **net reduction** in existing land use rights. The clear majority of Tasmanian councils moving to the Statewide Planning Scheme applied the LCZ sparingly or not at all. Only a few used it moderately or heavily. Most councils (such as Tasman) translated ELZ directly to the Rural Living Zone, yet IreneInc chose as their model three councils that applied LCZ heavily.

Many councils, including Kingborough in 2019, recognised that LCZ could lower property value, affect insurance and finance, and prevent future dwellings on empty blocks – not meeting the goal of sustainable development that supports communities to provide for their **social, economic** and cultural well-being...’ (clause 1 (a), Schedule 1 – Objectives).

RLZ IS THE APPROPRIATE ZONE

RLZ Guideline RLZ 1(a) suggests the RLZ should be applied to residential areas with larger lots used for residential and lower order rural activities, while prioritising residential amenity. This fits my property.

RLZ Guideline RLZ 2(b) states RLZ may be applied to ELZ land where the primary strategic intention is for residential use in a rural setting and a **similar** minimum allowable lot size is being applied. My property’s size of 2.88 ha aligns with RLZ B with a minimum lot size of 2 ha.

THE IRENEINC EVALUATION PATHWAY (DECISION TREE)

IreneInc uses a decision tree to decide zones. On Day 2 of the review hearing, the Commission was told that it’s a tool, not a rule [Kate Heckelmann, 05:53:00], and alternatives can be used with good evidence. Even so, applying the evaluation pathway correctly, my property meets the RLZ criteria rather than LCZ.

EVIDENCE OF STRATEGIC INTENT FOR LIVING

Both the original LPS and IreneInc’s report lack clear definitions of “primary strategic intent.” They ignore existing rural-residential settlements, historical land use, cultural attachment, community ties, and intergenerational living. Neither STRLUS nor the Kingborough Strategic Plan restrict rural living growth. Past land allocations, subdivision approvals, and development applications show that residential use is the ‘strategic intent’ of the land.

The review for my locality (Snug/Coningham) is stated as generally meeting strategic intent for living. My property has an established dwelling, outbuildings, and signs of residential activity.

EVIDENCE OF RURAL LIVING SETTLEMENT

IreneInc’s review states that the Snug Tiers community meets the ‘strategic intent for living’ because there is ‘evidence of residential uses scattered throughout’. However, Rural Living Settlement status has been mostly

denied, with the report citing a 'lack of consistent subdivision pattern with lots of the size which would contribute to a rural living settlement'.

This assessment appears biased, primarily due to two judgments. First, it favours smaller lot sizes, disregarding RLZ subcategories that limit subdivision of lots under 20ha and also minimises development on larger lots through needs of access and services (note: there is NO maximum lot size in RLZ).

Secondly, the 'consistent pattern' is only recognised if it resembles urban cul-de-sacs or road clusters, ignoring rural and lifestyle properties that are naturally sited around topographical features, inherited large lots, or purchased with future rural living in mind. For example, in Snug Tiers there's a clear pattern of large lot subdivision facing into the valley, on a Northwest to Southeast alignment around the topography.

IreneInc's biases overlook the fact that residents live just minutes from Snug township, where they shop, support local businesses, send children to school, recreate, and work. The reliance on a desktop analysis, which can't see beyond tree canopies and often lacks on-the-ground insight, leads to subjective judgments about rural settlements. For example, the IreneInc report notes that three adjoining properties on Snug Tiers Road display 'a consistent pattern of rural living,' as does my property, yet it is still proposed to be part of the LCZ.

Without applying rural living settlement criteria consistently nor ground-truthing, the evaluation then fails to consider whether landscape values can be managed through planning codes **nor recommends any other outcome than LCZ**, unless the area has no landscape values, which is unlikely given its rural nature and the subjective, non-consulted definition of "landscape values".

Homeowners in my area **strongly disagree** with IreneInc's narrow assessment. We can demonstrate that the Snug Tiers community meets all three rural living settlement characteristics:

1. A pattern of **at least** 10 smaller blocks, **generally** between 1–15 ha, with a consistent lot pattern. The **attached map (a)** shows my property among 41 others in Snug Tiers, with lot sizes from 0.18ha to 29.89ha, a pattern established since the early 1800s. As you can see all properties can be managed by available RLZ lot sizes to minimise subdivision potential. Our settlement at Snug Tiers adjoins property proposed for RLZ at [REDACTED] and [REDACTED].
2. A pattern of 'detached dwellings and outbuildings', which IreneInc admits is "generally met, as many lots have identified residences and cleared areas". As you can see from the **attached map (b)**, you can see that dwellings and outbuildings are located on nearly every property in my community. This also includes properties with development applications or strategic plans for living on empty blocks.
3. Visual evidence of rural activities such as 'clearings, grazing and hobby farming etc'. IreneInc states that "some residential uses are associated with farming", yet at the review hearing, it was clarified that the criteria list is only an example. My property shows cleared areas at the top of the block where we reside and the bottom of the block where it has been cleared long time before we bought our property.



ASSESSING LANDSCAPE VALUES

The STRLUS CV 4.1 states that **community consultation** should determine landscape values. IreneInc admits in review hearings that they didn't consult. This means the assessment of whether properties meet 'landscape values' is now entirely based on the Planning Authority's judgment.

IreneInc's choice of dictionary terms 'hilly places' and 'bushland,' and focus on tree-centric descriptions, i.e.: 'predominantly bushland,' 'allotments set within native bushland,' 'dwellings are ... nestled into vegetation,' and 'bushland backdrop' are the main basis for our locality's landscape values.

This overlooks the value of other features like waterways, fields, foraging areas, and the importance of varied terrain (grasslands, clearings, open areas, trails) for different species habitat. Such diversity is vital for a healthy rural or biodiverse landscape and aligns with evidence that people prefer varied scenery, including homesteads, sheds, and domestic animals.

The lack of consultation and reliance on terminology that favours the Planning Authority's narrow definition results in a flawed or biased assessment:

1. Large areas of bushland and vegetation alone do not justify LC zoning. As confirmed at the TPC review hearing on 14/4/26, "LCZ is not for managing vegetation—that is the role of the Natural Assets Code", which applies to all properties. IreneInc stated that for properties in our area proposed RLZ, overlays will likely (and logically) protect the natural values they identify.
2. Describing dwellings and large lots around topography as 'scattered' implies no strategic planning or intent, which is inaccurate. You can see on the [attached map \(b\)](#) that there's overwhelming strategic intent/logic.
3. Biased reasoning: noting large vegetated spaces on rural properties (and comparatively less dwelling area, as set by development criteria) is worded in the report as though this is a choice or evidence that OUR preference was conservation over living: "integration of residential use ... is largely within a small proportion of a parcel", "the remaining natural setting reinforces the area's natural values".
4. Owning private property in natural settings doesn't mean residents prioritise landscape conservation over residential amenity. IreneInc implies this repeatedly, both in review references to "built form" being

“secondary to the natural landscape” and, in hearings, that lots in bushland reinforce or “contribute” to the area’s “natural values”. Snug Tiers residents purchased homes in natural areas because they **value the contribution this makes to their Rural Living**, not to add to Kingborough’s undefined “landscape values”.

5. Irenelnc relied on overlays in a desktop assessment to identify landscape or environmental features across the locality, ignoring the challenges of topography and identifying these (i.e., through the tree canopy) by aerial images alone. Evidence-based alternative reports or maps of individual properties’ natural settings are needed. (see attached natural values report)
6. The scenic protection overlay is broadly applied to properties over 100m above sea level. The photos used in the report, sourced from realestate.com, are aerial shots intended for sale and don’t accurately reflect what is seen from local roads, towns, or waterways. Even Irenelnc admits that in the locality “bushland, landform, and ridgeline features ... remain visually intact,” and the reality is that the siting of homes on Snug Tiers in the valley means they cannot be seen from these vantage points. (See attached Scenic landscape code assessment)



View of Snug Tiers from the D'Entrecasteaux Channel



View of Snug Tiers from Beach Road, Snug

SPOT ZONING, SPLIT ZONING AND FRAGMENTATION

The TPS aims to prevent spot zoning, yet Irenelnc suggests Rural/LCZ split zones on some properties in my locality, which could cause mismatched zone priorities and land use. It’s also **more logical** that the rural activity forms part of an **overall Rural Living community pattern**. There is arguably less fragmentation created by leaving one spot zoned Rural property within an RLZ settlement, than proposing multiple restrictive split zonings.

Irenelnc have also shown that their application of this method is inconsistent. For example, a large lot of 108.84ha at 2274 Channel Highway is split zoned Rural/RLZ and abuts ELZ, RLZ, and Low Density Residential zones, while smaller ELZ parcels have been denied RLZ at all.

BALANCING LANDSCAPE VALUES AND LAND USE

In their S35F report, Kingborough council states that applying the Rural Living zone to rural residential areas **may** “risk that the predominant land use pattern and characteristics of the area could be eroded over time...”. This ignores the long-standing rural nature of the area and the fact that rezoning to LCZ would significantly restrict ongoing private land use, **absolutely guaranteeing** a change in “character and amenity”.

The report notes a “medium/high” risk of RLZ uses in this locality but doesn’t specify what those risks are, how **likely** they are considering the topography, vegetation, and existing settlement patterns, or whether they could be managed through overlay codes, SAPs, or other mechanisms. Irenelnc acknowledged that future reviews could reconsider RLZ decisions, and that any short-term risks could be mitigated. This supports the case that RLZ is appropriate for my property, not LCZ.

At the review hearings, Kate Heckelmann admitted there are **no land uses** that would impact landscape values which aren’t already managed by building codes or overlays. This suggests overlaps through stricter zoning isn’t

necessary because landscape “values can be appropriately **managed through the application and operation of the relevant codes**” (Kingborough LPS guidelines, RLZ 4b).

Assuming LCZ is the only way to protect generic ‘landscape values’ ignores existing land management, bushfire mitigation efforts, biodiversity initiatives, and conflicts with the intent of the evaluation pathway of **balancing** landscape protection with existing land uses. It is illogical to rezone properties to LCZ to ‘protect’ the landscape that we’ve proven we can already care for on our own.

IreneInc suggest that LCZ zoning near Snug Recreation Area is necessary to provide connectivity to the EMZ and act as a buffer between living zones. Not only have National Parks (EMZs) already been put aside for state management, nearly every other Tasmanian council placed other living zones: Rural Living, Residential, Rural, Agricultural, and even Industrial zones next to National Parks or EMZs. It is also contradictory to the placement of Low Density Residential lots beside Coningham’s EMZ reserve.

Rural Residential owners provide a significant free workforce to manage areas on the interface of bush, coast, country and town. They need to be able to continue to mitigate natural disaster, care for native species, maintain trails, carriage ways and fire access, and remove invasive pests, which is at risk in the LCZ. Our efforts help protect biodiversity, reduce financial and disaster risks, and improve resilience and food security for all - work that cannot be replaced by council staff or State Parks and Wildlife service.

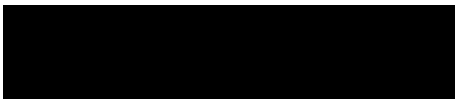
SUMMARY

Throughout the LPS process, Kingborough Council has failed to consult the community and has not followed the objectives of LUPAA, which emphasise fair land use and community involvement. Their focus on environmental protection seems aimed at removing private land rights, risking long-term harm to residents’ well-being and creating potential future financial and legal challenges.

I appreciate the TPC taking heed of the concerns within this letter and respectfully ask for rezoning properties from ELZ to more restrictive zones to stop. Specifically, I request that the TPC direct my property to be zoned from the ELZ to the Rural Living Zone B, with environmental priorities managed by existing natural values codes.

Yours sincerely,

Jonathan Richarson and Yumi Takasuga

 Snug

1/5/26

Email to: KingboroughLPS@planning.tas.gov.au

20 March 2019

Development Services
Kingborough Council
15 Channel Highway
Kingston TAS 7050

Our Ref: 19030
Your Ref:

Dear Sir,

**RE: ASSESSMENT OF WORKS WITHIN SCENIC LANDSCAPE AREA, [REDACTED]
[REDACTED] ROAD, SNUG**

This report has been prepared consider the impact of the proposed building works on the scenic landscape values attributed to the Scenic Landscape Area as mapped in the Kingborough Interim Planning Scheme 2015 (KIPS2015), including;

- E14.7.1 Removal of Bushland and Exotic Vegetation , and
- E14.7.2 Appearance of Buildings and Works within Scenic Landscape Area.

The current proposal does not meet Acceptable Solutions A1 of **E14.7.1 Removal of Bushland and Exotic Vegetation within Scenic Landscape Corridors** that states;

‘to ensure that removal or disturbance of bushland does not cause an unreasonable change to, or have an unreasonable adverse impact on, the scenic landscape value of Scenic Landscape Areas’

‘Removal or disturbance of bushland must comply with both of the following:

- (a) Be on land no less than 50 m (in elevation) from a skyline;*
- (b) Be no more than 500m² in extent.*

However it appears the proposal satisfies the alternative solutions in Performance Criteria P1 in that:

‘Removal or disturbance of bushland must be minimised and must satisfy both of the following:’

- (a) Result in only negligible change to the silhouette of skylines;*

Surveys indicate the location of the proposed development is approximately 75 metres below the ridgeline to the north and approximately 400 metres below the Snug Tiers skyline to the west. Due to the southerly aspect of the location the proposed site is only visible from the south along Snug Falls Road.

- (b) Maintain scenic landscape value;*

It is anticipated the extent of clearance and conversion of native bushland to upgrade the existing vehicular track, facilitate construction and establish the required bushfire hazard management area will not have an unreasonable adverse impacts on the scenic amenity of the landscape. It appears the scale and extent of vegetation conversion is consistent with existing development in the area and will not significantly impact on the Scenic Landscape Area identified within the KIPS2015.

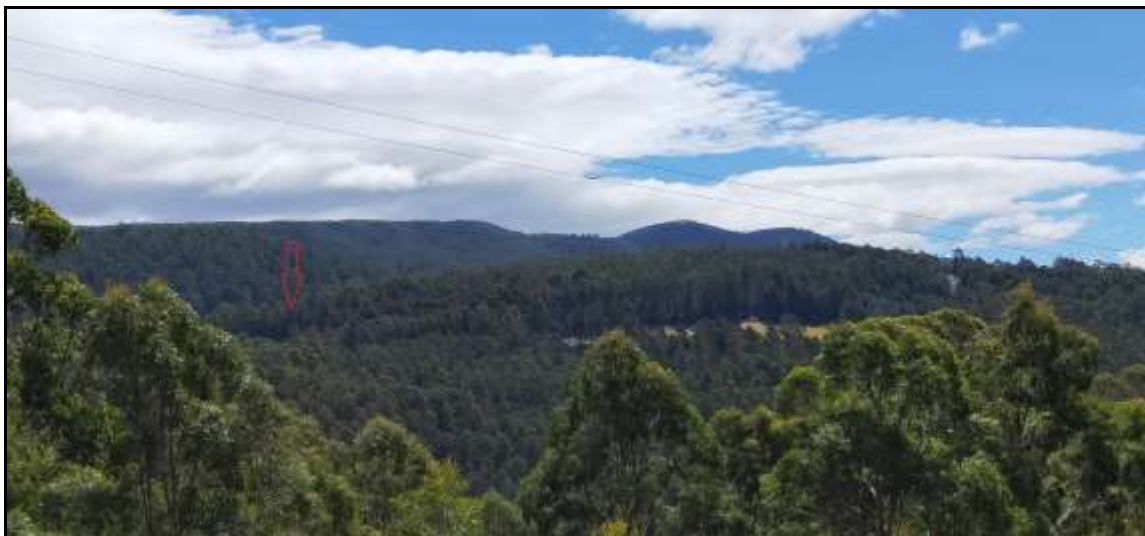


Figure 1 – Image looking north from Snug Tiers Road at the proposed development site showing its location below the skyline to the north.

The current proposal does not meet Acceptable Solutions A1 of **E14.7.2 Appearance of Buildings and Works within Scenic Landscape Area** that states:

‘to ensure that removal or disturbance of bushland does not cause an unreasonable change to, or have an unreasonable adverse impact on, the scenic landscape value of Scenic Landscape Areas’

Buildings must comply with one of the following:

- (a) Not be visible from public spaces;*
- (b) Be an addition or alteration to an existing building that;*
 - i. Increases the gross floor area by no more than 25%;*
 - ii. Does not increase the building height;*
 - iii. Provides external finishes the same or similar to existing.*

However it appears the proposal satisfies the alternative solutions in Performance Criteria P1 in that:

‘Buildings visible from public spaces must maintain scenic landscape value by satisfying one or more of the following, as necessary’

(a) have external finishes that are non-reflective and coloured to blend with the landscape’

- Cladding – All elevations clad with brick (Brickworks: Yarra Range – ‘Toorak’. Solar Absorbance Rating >0.60 ‘Dark’.
- Roof, fascia and gutters will be constructed with Colorbond. Colour ‘Monument’. Solar Absorbance; 0.73, BCA; ‘Dark’.

(b) ‘be designed to:

- i) incorporate low roof lines that follow the natural form of the land;*

The single story dwelling with low profile roof (Pitch 23°) has been design to grade with moderate gradients within the allotment. Anticipated the proposed dwelling construction technique will result in the dwelling roof line corresponding with natural surface to the

north of the building. In addition the natural colour scheme is designed to blend with surrounding vegetation.

ii) *minimise visual impact in height and bulk;*

The residential single storey dwelling, low profile design and moderate floor plan (approx. 147 m²) has been chosen to reduce the visual impact regarding height and bulk of the dwelling.

iii) *minimise cut and fill;*

The proposed strip footing construction of the residential dwelling will not require cut and fill to facilitate development. However moderate gradients within the allotment require some earthworks to establish and facilitate construction of the access and parking (see Figure 3).

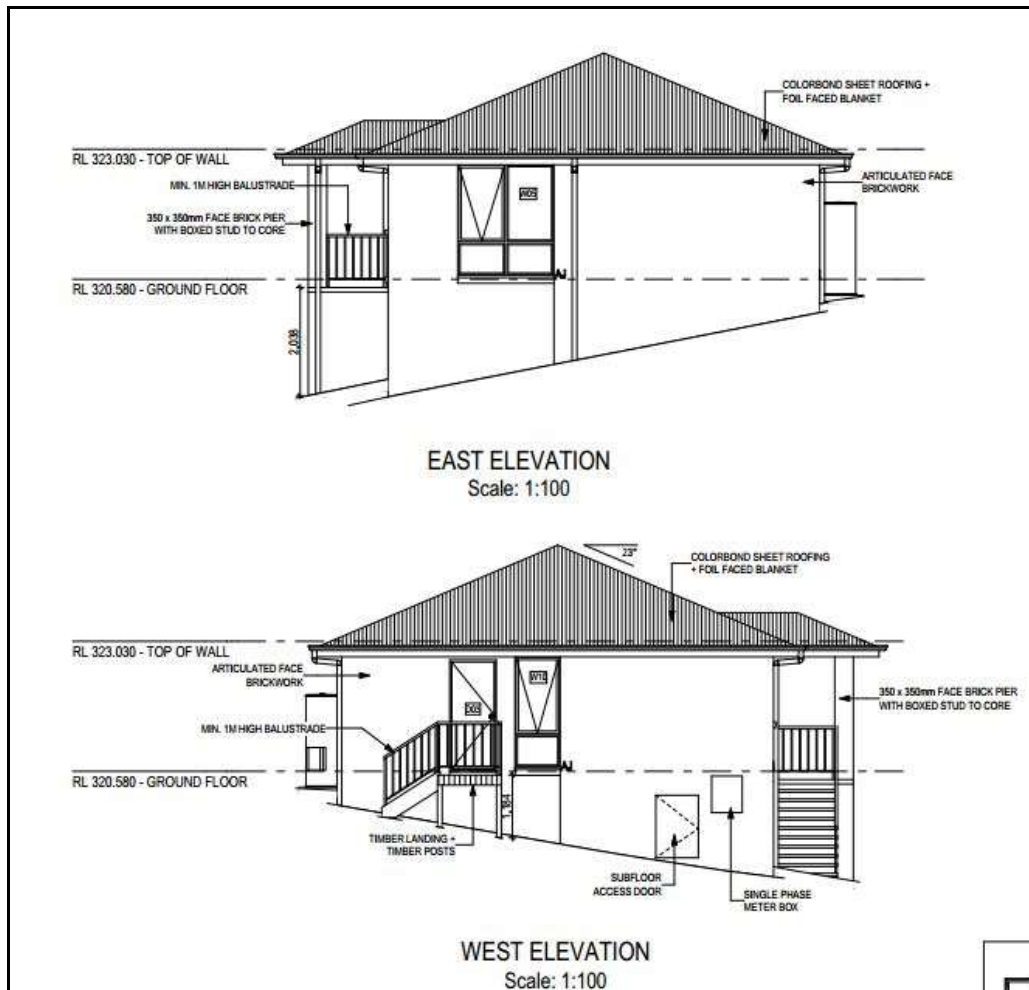


Figure 2 – Image showing extent of cut and fill require on eastern and western elevations of proposed development site.

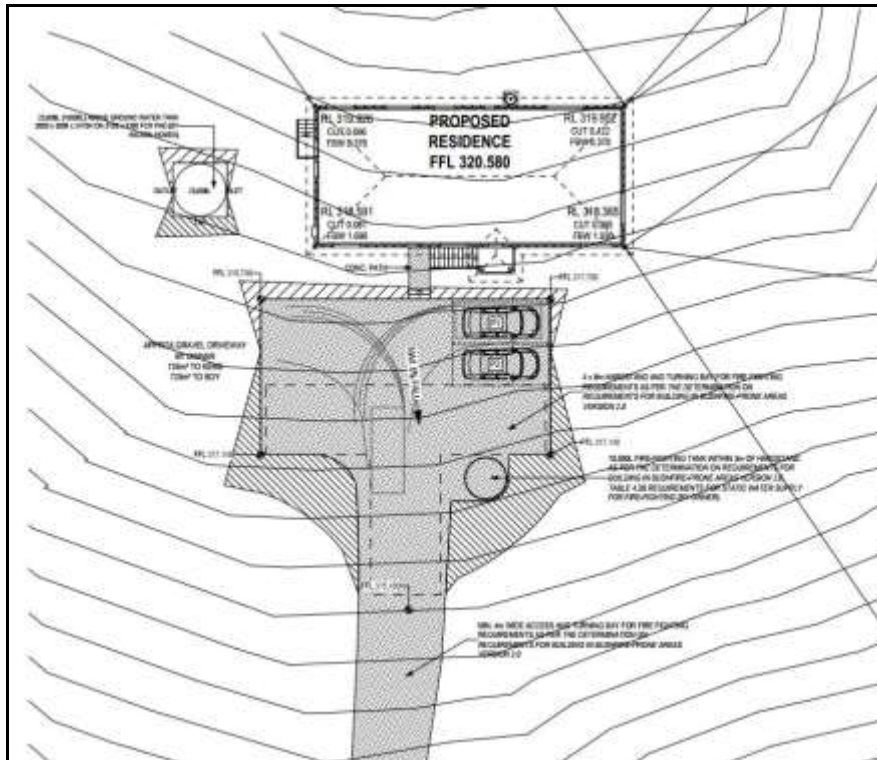


Figure 3 – Site plan showing extent of cut and fill require for the access and parking. It is estimated approximately 13.17m³ will be cut to facilitate construction of parking area.

(c) Be located below skylines;

The proposed development site is located on a small ridge with a southerly aspect. Assessment indicates the site is only visible from the western section of Snug Tiers Road to the south. When viewed from this location the proposed development site is approximately 70 metres below the skyline to the north. Whilst not visible from Channel Highway to the east, the proposed development site is approximately 400 metres below the Snug Tiers skyline to the west.

(d) Be located to take advantage of any existing native vegetation or exotic vegetation for visual screening purposes;

The proposed development site has been centrally located within the 2.8 ha allotment utilising existing native vegetation surrounding the site to provide visual screening from the south and east. No native vegetation that currently occupies the eastern and southern boundary that currently screens the allotment will be modified or disturbed. The proposed development area requiring conversion is not on a major east-west ridgeline visible from the east. In addition the bushland is not classified as a high priority vegetation community or identified as known threatened species habitat.



Figure 4 – Image looking north-west showing the type and height of fringing native vegetation on properties southern boundary. It is anticipated this native vegetation will effectively screen proposed development from the east and to an extent from the south.

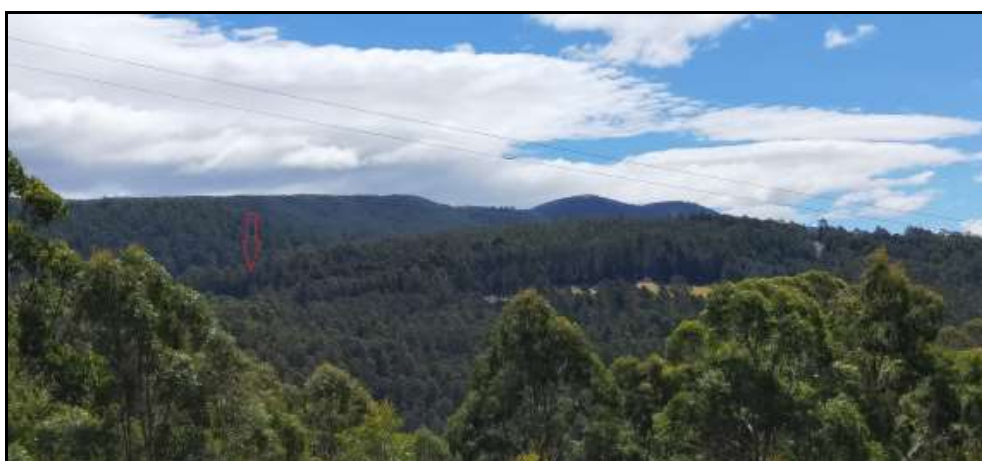


Figure 5 – Image looking north-west towards the proposed development site (red arrow) from Snug Tiers Road showing the proposed site below the ridgeline to the north and west.

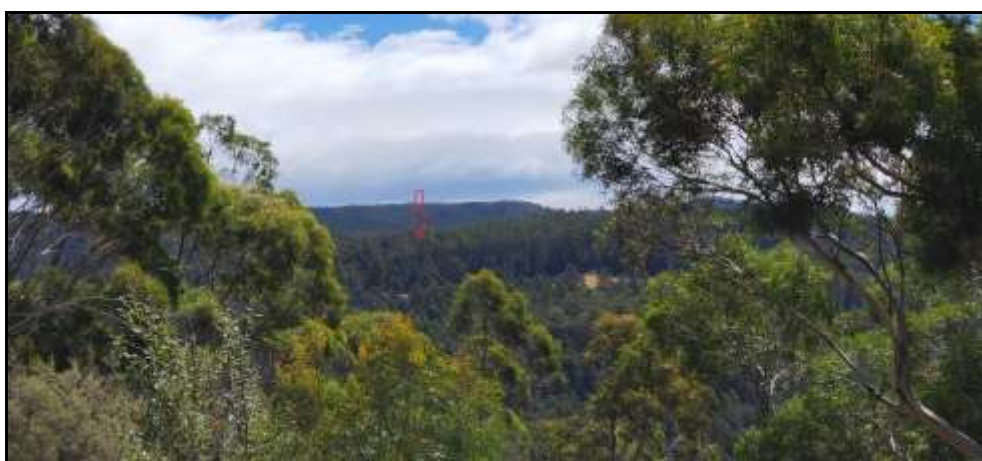


Figure 6 - Image looking north towards the proposed development site (red arrow) from Snug Tiers Road showing the extent of native vegetation that provides an effective screen when viewed from the south.

The current proposal does not meet **Acceptable Solutions A2** of **E14.7.2** Appearance of Buildings and Works within Scenic Landscape Areas that;

‘Works must not be visible from public spaces.’

However it appears the proposal satisfies a number of alternative solutions in Performance Criteria P2 that states;

‘Works visible from public spaces must maintain scenic landscape value by satisfying one or more of the following, as necessary;

- a) *Driveways and access tracks are as close as practical to running parallel with contours and are surfaces with dark materials*

The proposal will utilise the existing vehicular track to access the development site (See Figure 7). The access traverses contours with gradients in the first section requiring sealing with bitumen with the remaining surfaced with blue metal aggregate. It is anticipated the upgrade will not significantly impact the scenic values of the site for the south. In addition, impacts from upgrading this existing track will have significantly less environmental impacts than clearing and constructing a new access to follow contours from the western boundary.

- b) *Cut and fill is minimised*

Given the low to moderate gradients within the footprint of the access and proposed development site it is anticipated some cut and fill will be required. However considered planning has tried to minimise the extent of cut and fill with regards to the access, parking and to a lesser extent the proposed dwelling site. Site plans indicate the proposed parking area requires 13.17m³ cut volume (See Figure 3).

- c) *Surface of retaining walls and batters are finished with a natural appearance;*

Discussions with Wilson Homes and the client indicate post construction landscaping of disturbed substrate including batters and retaining walls. It is proposed all disturbed or converted areas will be landscaped use appropriate low-flammability plant species and mulches with the objective of returning disturbed substrate to a natural appearance.

- d) *Fences are post and wire or other designed of a similarly transparent appearance.*

This provision is not applicable as property boundaries are established and currently fenced.

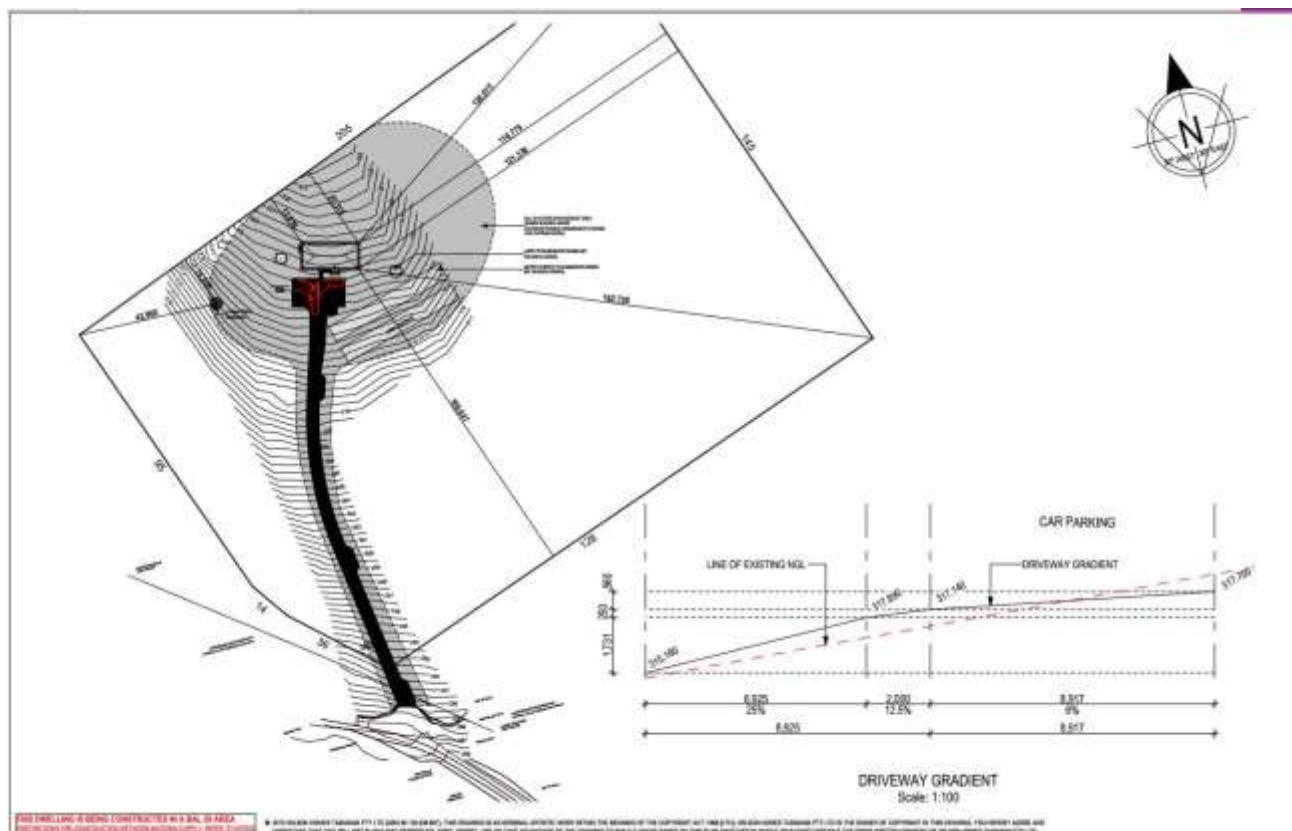


Figure 7 – Site plan of proposed development showing location of access and dwelling and gradients of access.

Considering provisions require the client to satisfy only one of the provisions in **E14.7.2** it is my opinion the proposal satisfactorily meets Performance Criteria P2 a) to d) of Appearance of Buildings and Works within Scenic Landscape Areas.

Discussion

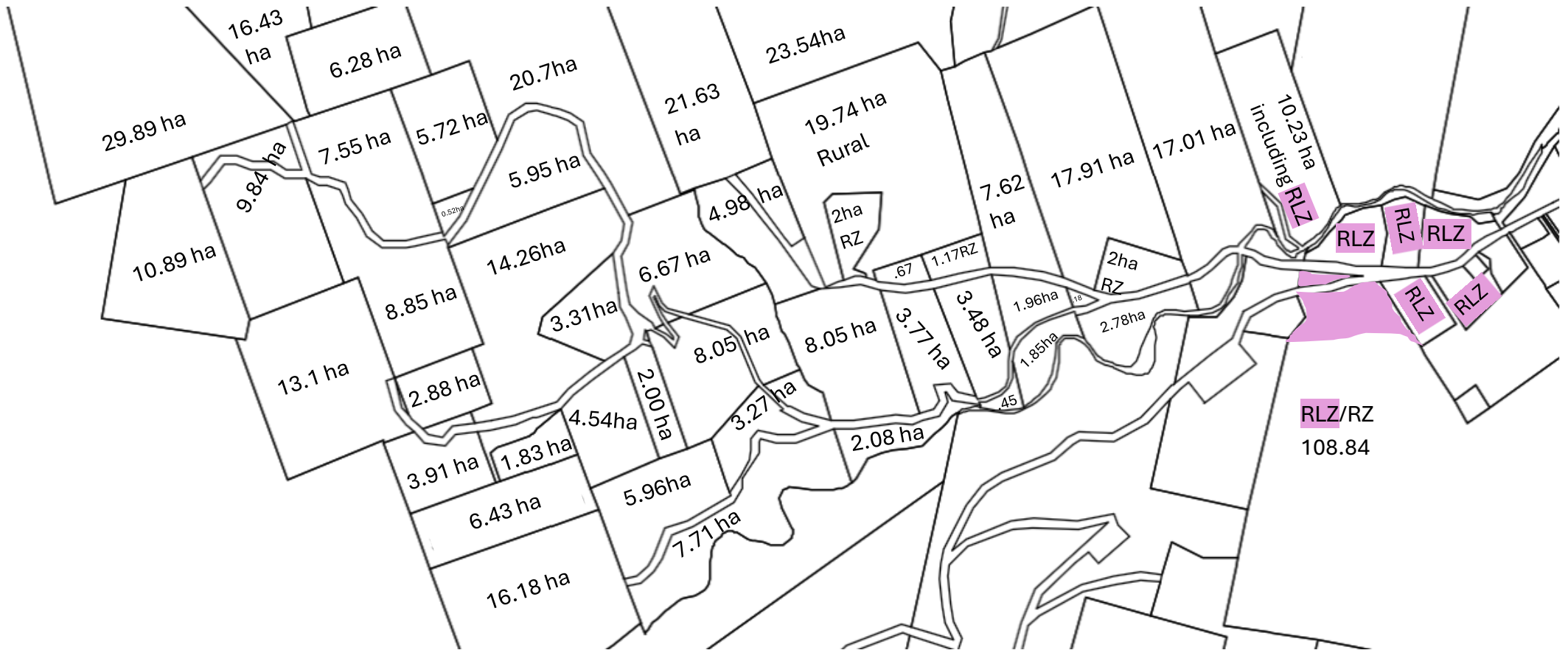
The scale of works is consistent with existing residential style development along [REDACTED] Road. The proposed development is centrally located within the allotment with surrounding native vegetation providing significant screening from prominent roads to the east with only limited visibility from Snug Tiers Road to the south. Assessment indicated the proposal will not have unreasonable adverse impacts on the scenic landscape values of the [REDACTED] Road Scenic Landscape Area.

Please advise if you have any queries.

Yours faithfully,

[REDACTED]

N M Creese



SNUG TIERS SETTLEMENT - LOT SIZE



SNUG TIERS RURAL LIVING STRATEGIC INTENT

Natural Values Report

For a proposed dwelling at [REDACTED] Road, Snug



For J Richardson Y Takasuga

July 2018

enviro-dynamics
environmental solutions for a changing world

Level 1, Philip Smith Centre, 2 Edwards Street, Glebe – andy.welling@enviro-dynamics.com.au

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1. Introduction

This natural values report has been prepared as a requirement of a development application under the Kingborough Interim Planning Scheme 2015. The site at [REDACTED] Road, Snug (PID [REDACTED]) is zoned as Environmental Living and is within a Biodiversity Protection Area (BPA), Landslide Hazard Area and Scenic Landscape Area. As the proposed development will impact on the values of the BPA a natural values assessment is required.

Enviro-dynamics has been engaged to undertake this natural values assessment on behalf of the proponents. The assessment aims to identify the natural values of the site, including determining the type and extent of vegetation communities, and presence of threatened species and threatened fauna habitat. It also aims to map weed infestations and identify any other threats present. Any potential impacts to natural values posed by the development are then analysed, and management recommendations are provided to mitigate these impacts.

2. Background

Property description

The 2.884 ha lot is located on a south east facing slope, approximately 3.5 km west of Snug township (Figure 1). The property is entirely covered by wet eucalypt forest, including areas of regrowth forest. The adjoining properties also support native forest, with low density environmental living properties in the vicinity. There is small overgrown clearing at the southern edge of the site and a small dam in the gully adjacent to the clearing. This area was cleared some years prior to the survey (+10 years?).

Development proposal

The proposal is to construct a dwelling (Class 1a) and shed on the flat area at the top of the site adjacent to the north eastern boundary. The site is accessed from the end of [REDACTED] Road through ROW. The development will also include the establishment of a bushfire hazard management area around the dwelling as per the Bushfire Hazard Assessment (Enviro-dynamics, July 2018).

3. Methods

The natural values assessment was undertaken in two stages; desktop analysis and field survey. The desktop analysis involved extracting data from a variety of sources, including:

- Natural Values Atlas (DPIPWE 2017)
- Protected Matters Search Tool (DEE 2017)
- LIST map

The field survey was undertaken by a single observer on the 15th May 2018 using a timed-meander method. All perceivable vegetation communities were mapped and classified according to TASVEG 3.0. All vascular plant species encountered were recorded, with an emphasis on detecting rare and threatened species within the footprint of the development. Searches for potential threatened fauna habitat e.g. tree hollows, den sites and other evidence e.g. scats, diggings and tracks were also undertaken. No detailed fauna surveys were conducted.

Locations of threatened flora, fauna habitat and significant weeds were mapped with a handheld GPS and population data was captured e.g. numbers of individuals, area occupied etc. Geographic datum used was GDA94 Zone 55.

Taxonomic nomenclature for flora follows the latest Census of Vascular Plants of Tasmania (Baker & de Salas 2016). Classification of vegetation communities is in accordance with Kitchener and Harris (2013) and TASVEG 3.0.

Limitations of the survey

Whilst every effort was made to compile a complete list of vascular plants within the proposed impact area, limitations of the survey method, seasonal conditions and the timing of the survey means that additional flora species may be present on the site and be revealed during subsequent surveys.



Figure 1 - Location Plan

4. Natural Values Assessment

4.1 Vegetation Communities

One native vegetation community was recorded during the survey, which was classified as *Eucalyptus regnans* forest (WRE) as per the TASVEG 3.0 vegetation classification system.

This vegetation community is characterised by regrowth *Eucalyptus regnans* over a wet sclerophyll understorey. There are localised patches of *Eucalyptus obliqua* and scattered *E. globulus* trees also recorded. The *E. globulus* trees are more common in the gully in the north east portion of the site. The tall shrub layer is dominated by *Bedfordia salicina*, *Pomaderris apetala*, *Acacia dealbata*, *Olearia argophylla*, *Zieria arborescens*, *Prostanthera lasianthos*, *Acacia leprosa*, *Nematolepis squamea* and *Bedfordia salicina*. The lower shrub layer contains *Coprosma quadrifida*, *Cassinia aculeata* and *Pimelea drupacea*. The ground layer is dominated by *Pteridium esculentum* with *Histiopteris incisa*, *Polystichum proliferum* and *Dicksonia antarctica* present in the wet gully. Greenhoods orchids (*Pterostylis nutans*), *Geranium* sp. and *Hydrocotyle hirsuta* were recorded on the ground.

The structure of the community varies across the site. The upper north west portion of the site is flatter and contain recent 20+ year regrowth trees with a dominant tall shrub layer. As the site slopes down towards the gully in the north east corner there are larger trees present and the understorey is more open. This difference is likely to be a reflection of the harvesting history of the site.

4.1.1 Conservation status of the vegetation communities

Eucalyptus regnans forest (WRE) is not listed as a threatened vegetation community under Schedule 3A of the Nature Conservation Act 2002. The vegetation is classified as a 'Low Priority Biodiversity Value' under 'Table E10.0 of the Kingborough Interim Planning Scheme. The portion of the site that contain blue gums may be considered to be of moderate priority due to the foraging habitat provided to the endangered swift parrot.



Figure 2 – Typical vegetation in the proposed house site with shrub layer dominant.

4.2 Flora

4.2.1 Threatened flora

No threatened flora species listed under the *Threatened Species Protection Act 1995* or under the *Environmental Protection and Biodiversity Conservation Act 1999* were recorded during the survey.

There are no threatened flora records within 500 m of the site (NVA 2017). Several records of *Epacris virgata* occur within 2 km of the site, but there is no suitable habitat for this species within the proposed impact area. Several other threatened flora species have been recorded within 5 km of the site (NVA 2017), but none of these are likely to occur within the property based on habitat.

4.2.2. Introduced plants

No declared weeds were recorded from the site however foxglove (*Digitalis purpurea*) occurs in the small clearing at south eastern side of the lot (Figures 2 and 3). Common exotic herbs species such as groundsel (*Senecio* sp.), cats ear (*Hypochoeris radicata*) and centaury (*Centaureum erythraea*) occur along the roadside and along the edge of the rough track into the site. These species are considered to be relatively benign an active control is not included in this report.

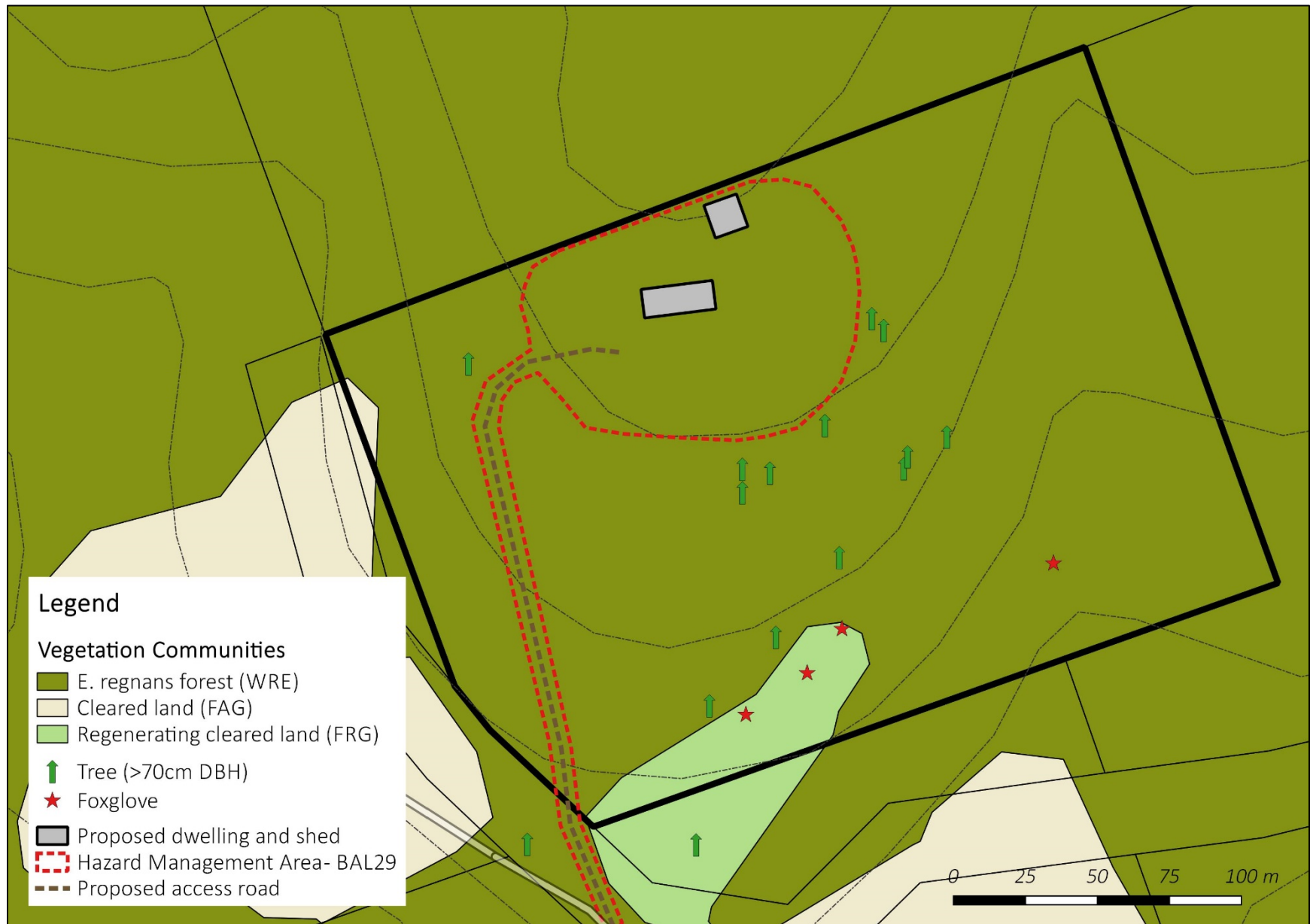


Figure 3- Vegetation communities, development area and HMA.



Figure 3 – Foxglove infestation in small clearing on site.

4.3 Fauna

4.3.1 Threatened fauna

No threatened fauna species listed under Schedule 3, 4 or 5 of the *Threatened Species Protection Act 1995* or under the *Environmental Protection and Biodiversity Act 1999* were recorded during the survey.

One threatened fauna species, i.e. Tasmanian devil, has been recorded within a 500 m radius of the site (NVA 2017). Several other threatened fauna species have been recorded within 5 km or have the potential to occur in the vicinity based on range boundaries. Relevant species are listed in Table 1 including a comment on the likelihood of them occurring at this site. For simplicity, species with no likelihood of occurring due to lack of suitable habitat have been excluded from the table. No raptor nests or sightings have been recorded within 500 m.

The blue gums occurring on the site provide potential foraging habitat for the swift parrot and this species is likely to foraging over the site in season when there is strong flowering in the local area.

Table 1 – Threatened Fauna recorded within a 5 km radius of site.

Species	Status TSPA	Status EPBCA	Comments
<i>Lathamus discolor</i> swift parrot	e	CR	Species has strong association with blue gum and black gum. Foraging habitat occur on site however no trees within the proposed impact area. No mature trees with hollows recorded.
<i>Perameles gunnii</i> eastern barred bandicoot		VU	Species may forage across the property however habitat is marginal for this species. Species is also widespread and secure in Tasmania.
<i>Sarcophilus harrisii</i> tasmanian devil	e	EN	Species may forage across the property. No potential den sites present within impact area and as such any impacts are minimal.
<i>Dasyurus viverrinus</i> eastern quoll		EN	Species occurs widely across Tasmania. Property contains potential foraging habitat however no potential den sites present within impact area.
<i>Dasyurus maculatus</i> <i>subsp. maculatus</i> spotted-tailed quoll	r	VU	Species occurs widely across Tasmania, especially in wet forest habitats. Property contains potential foraging habitat however no potential den sites present within impact area.

5. Development Impacts

The following section outlines the impacts of the proposed development on the natural values of the property and provides an assessment of impacts against the relevant provisions of the Planning Scheme.

The proposed development involves the construction of a dwelling and shed with an access road from the end of [REDACTED] Road (Figure 4). The building area has been located within the area of regrowth swamp gum forest to avoid impacts on large trees and swift parrot habitat and to utilise the flattest portion of the site. As the dwelling is within a bushfire-prone area, a bushfire hazard management area (Figure 3) must be established around the building to protect it in the event of a bushfire. A BAL rating of 29 can be achieved for the site (refer to Bushfire Report – Enviro-dynamics, July 2018) and will require less vegetation clearance than a BAL 19 rating.

Vegetation clearance will be limited to an area of regrowth forest, consisting mainly of tall shrubs such as silver wattle, blanketleaf, dogwood and musk with a bracken understorey. No large trees (with DBH greater than 70cm) are located within the building area. Isolated larger trees within the HMA can be retained provided they are more than 10 m from the dwelling and there is separation between canopies (min. 6 m apart).

The access road to the site will traverse the south western hillside through regrowth forest. The road has been located so as to avoid the root zones of significant trees which were identified during the site survey. The road is outside the Tree Protection Zone (12 x DBH) for nearby trees therefore ensuring that the construction doesn't impact individual large trees.

5.1 Kingborough Interim Planning Scheme 2015

The proposed development is within an Environmental Living Zone, and there is a Biodiversity Protection Area (BPA) over the property. The lot is within a Scenic Landscape Area, and also includes a Landslide Hazard Area. As the development is within a BPA, the development must address and comply with performance criteria of the Biodiversity Code. This is to ensure that development for

buildings and works minimises clearance and conversion or disturbance and does not result in unnecessary or unacceptable loss of priority biodiversity values.

5.1.1 Requirements of the Environmental Living Zone

The proposed development is consistent with the purpose of the Zone and will meet the Development Standards for Buildings and Works. This natural values report satisfies the performance criteria for environmental values (as per 14.4.5 of the planning scheme) as it identifies environmental values of the site and sets out measures to protect natural values (refer to recommendations). The building area is also within an area of least environmental significance (common regrowth vegetation - refer to Figure 4).

14.0 Environmental Living Zone

Residential Use is permitted within this zone (Table 14.2 Kingborough Interim Planning Scheme 2015). Development must meet design (Part D 14.4.3) and environmental values (Part D 14.4.5) performance criteria (as per 14.4.3 – Design - Kingborough Interim Planning Scheme 2015):

14.4.3 The location of buildings and works must satisfy all of the following:

- (a) be located in an area requiring the clearing of native vegetation only if:*
 - (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope;*
 - (ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures;*
 - (iii) the location of clearing has the least environmental impact;*

Response: The proposed building envelope is located in an area that contains recent regrowth vegetation and contains no significant flora or fauna values. The development is to be constructed to BAL 29 which will minimise the area of native vegetation to be cleared to establish required hazard management areas. As such the impact on the natural values of the site is minimised by the location and nature of the development.

14.4.5 To ensure development maintains and enhances environmental values;

The application is accompanied by an environmental management plan for the whole site, setting out measures to be put in place to protect flora and fauna habitats, riparian areas, any environmental values identified as part of a site analysis, and identify measures to be used to mitigate and offset adverse environmental impacts.

Response: The Environmental Management Plan for the site is provided in Appendix 1.

5.1.2 Requirements of the Biodiversity Code (E10.0)

Eucalyptus regnans forest (WRE) is classified as a 'Low Priority Biodiversity Value' under the Biodiversity Code (E10.0 – Table E10.1). Whilst the property may provide potential foraging habitat for several EPBC listed fauna species (swift parrot, devils, quolls and EBB), there is no significant habitat within the building area or HMA (i.e. no potential den sites; trees with hollows). The foraging habitat for the swift parrot that occurs on the site is restricted to the north east half of the site and will not be impacted. As such the vegetation to be removed does not qualify as a Moderate Priority Biodiversity Value.

To meet the overall objective of the Biodiversity Code the following performance criteria needs be met for impacts on low priority vegetation. A response to each criteria for this development is provided in bold text.

- 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;*

The building envelope is located in an area of regrowth forest with no large trees. There are no blue gums within the impact area. The existing cleared area on the site is adjacent to the south eastern border and would require the clearance of vegetation on the neighbouring title for bushfire. There are also a number of blue gums upslope of this area which would need to be thinned. As such the existing clearing on the site is not suitable for development or would require a greater impacts on the more significant natural values on the site if developed.

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

The dwelling is to be constructed to BAL 29 standards and the HMA will be restricted to an area of regrowth forest. The dwelling is located on the flattest portion of the site thereby reducing the width of bushfire separation distances of the hazard management areas (due to lower slopes). Part of the HMA also includes an open area devoid of trees (Figure 4).

Some trees may be retained within the HMA as long as they are more than 10 m from the dwelling and there is no continuous canopy (i.e. trees canopies must be 6 m apart).



Figure 4 – Open area within proposed HMA.

6. Conclusion and recommendations

The impacts of the proposed dwelling and shed and associated access road and bushfire hazard management area were assessed during a site visit in May 2018. Whilst the development is within designated Biodiversity Protection Area, the vegetation is classed as low priority biodiversity value, and the performance criteria of the Biodiversity Code can be met. The building site is within an area of regrowth WRE forest and no large trees will be cleared.

No threatened flora species were recorded on the site, and there is no habitat suitable for threatened species will be impacted by the development. The property contains potential foraging habitat for several threatened fauna species listed under the EPBCA including the swift parrot, Tasmanian devil, and eastern quoll. No important habitat is present (i.e. potential den sites) within the impact area and due to the scale of the development across the site it will not have a significant impact on any of these species.

The site is bushfire prone and will require hazard management areas around the dwelling (BAL rating of 29). The HMA will also be restricted to regrowth forest but will require the removal of the understorey and some small trees to form canopy gaps and reduce fuel loads.

One environmental weed (foxglove) was recorded within the site. Best practice hygiene procedures should be followed during the development phase to ensure that this specie and other weeds known from the local area are not introduced onto the site. This should include wash-down procedures for machinery prior to entering the site and the use of uncontaminated building materials. Weed control measures for the foxglove are provided in the Environmental Management Plan (EMP) required for this development (Appendix 1)

Recommendations

- Vegetation outside the building envelope and hazard management areas to be retained.
- Infestations of foxglove should be controlled as per the EMP.
- Machinery should be washed-down prior to entering the site to prevent the introduction of declared weeds into the site.
- Any soil or gravel imported to the site for construction or landscaping purposes should be from a weed free source to prevent the establishment of further introduced species on the site.

Appendix 1: Environmental Management Plan for [REDACTED] Road, Snug – July 2018

SCOPE

This *Environmental Management Plan* (EMP) has been developed to satisfy standards of the Environmental Living Zone (Clause 14.4.5 P1 - Kingborough Interim Planning Scheme 2015) in relation to the development of a dwelling and shed at [REDACTED] Road, Snug.

This EMP pertains to the entire title (Volume [REDACTED]) excluding the hazard management areas around the proposed dwelling and access roads (refer to Figure 3 - NVR).

The site was in May 2018 where all vegetation communities were mapped and flora and fauna values assessed. Weed species on the site were also identified and mapped for management purposes.

NATURE CONSERVATION VALUES OF THE SITE

The natural values of the site are described in the Natural Values Report – Section 4. The vegetation community is classified as *E. regnans* dry forest (WRE). There are no threatened flora species known from the site. Threatened fauna habitat is restricted to foraging habitat for the swift parrot (blue gums), quolls and Tasmanian devil

One environmental weed was recorded at the site – foxglove (*Digitalis purpurea*) (refer to Figure 3 NVR). These species are restricted to the previously cleared land along the south eastern boundary and along [REDACTED] Road.

MANAGEMENT OBJECTIVES FOR THE SITE

The following management objectives apply to the management of the native vegetation across the site;

- Protection and conservation of the natural systems and features including the diversity of species, habitats and communities;
- To protect the foraging habitat of the swift parrot, Tasmanian devil and eastern quoll.
- Protection of the native vegetation from damage by introduced plants and animals, disease and inappropriate management regimes.

- To maintain the structure of the forest and allow for regeneration of native species under the proposed management regime;
- To prevent the forest stand from being frequently burnt;
- To eradicate or control weeds and feral animals and prevent any further introduction(s) of exotic species.

MANAGEMENT PRESCRIPTIONS

Clearing of Vegetation

No clearing of vegetation (including shrubs and other understorey species) is to occur within the site unless it is of an approved nature, such as:

- i) for bushfire hazard management purposes (see Bushfire report, Enviro-dynamics July 2018);
- ii) part of weed eradication efforts (see Weed Control);
- iii) for boundary fence maintenance and construction (See Fencing);
- iv) for domestic firewood collection (See Domestic Firewood).

Vegetation cleared during the process of “approved clearing” operations (such as shrubs, branches, trunks etc.) may be removed from, and used external to the intact vegetation.

Domestic Firewood

Domestic firewood collecting is to be limited to 10 tonnes per annum and is not to include any blue gum (*Eucalyptus globulus*) trees or larger trees with hollows.

Fencing

The land contains boundary fences along the south west and south eastern boundaries. These existing fences can be maintained in good condition and vegetation removed from a width of 2m either side of the fence.

Boundary fencing is not required along the other boundaries to protect the natural values of the site although the landowner has the right to erect fences along all boundaries. In the event of the construction of boundary fences the removal of mature blue gums is to be avoided to retain all foraging habitat for the swift parrot.

Weed Control

An infestation of foxglove occurs along with the small clearing near the south eastern boundary (Figure 3 of NVR). This infestation is to be controlled and monitored to prevent its spread across the land and onto neighbouring properties (as per Table 4).

The following broad actions are required to be undertaken:

- The owner must undertake weed management actions as per the Table 4.
- Only approved herbicides that are recommended for the control of a target species are to be applied. The owner will apply and dispose of herbicides in accordance with the manufacturer's recommendations.
- Any plant debris that contains seeds should be piled and burnt (subject to required permits) or bagged up and disposed of at an approved waste management facility.

There are minor infestations of exotic grasses and herbs across the site however these weeds do not pose a significant threat to the values of the surrounding land and therefore no control action is provided in this document.

Herbicides, other chemicals and fertilisers

- No fertilisers are to be applied within the native vegetation on the land.
- No chemicals or herbicides are to be applied within the native vegetation unless it is part of the weed eradication efforts.
- Fertilisers, herbicides and chemicals may be applied as per label instructions for management normal of the agricultural land.

Fire

Fire(s) will be excluded from the native vegetation within the land unless otherwise:

- Required by the Tasmania Fire Service for fire hazard reduction;
- For ecological purposes (e.g. the maintenance of biodiversity) in accordance with the advice from a qualified fire ecologist; or
- When uncontrolled bushfire cannot be prevented from passing through the site.

Introduction of non-native flora or fauna

- No non-native flora and/or fauna species are to be deliberately introduced into the native vegetation unless approved by the General Manager (for example, as part of a rehabilitation, restoration or translocation strategy); and
- Dogs are permitted within the property provided they are contained. Dog walking is permitted within the EMP area provided dogs are 'under effective control' at all times

Recreational Use

The following restrictions are applied to the site in terms of recreational use:

- Low impact recreational activities that are not considered deleterious to the values of the site (including bush walking, bird watching) may be carried out within the site;
- The development of additional walking trails in the future within the land is permitted provided trails are routed so as to avoid all large trees and saplings. New trails should be a maximum of 1.5m wide and only hardened if required in wet areas.

Deleterious Activities

- No activities (including, but not confined to, removal of soil, gravel or other natural resources, dumping of rubbish, general disturbance, etc.) which may be considered deleterious to the natural values will be carried out within the site unless approved by the General Manager.

Vehicle Use

Due to the steepness of the site vehicle use within the site is restricted to the following:

- On existing vehicle tracks and around structures.
- For fire-fighting emergencies;
- As part of future weed control activities; or
- Essential management.

Monitoring and Maintenance

The site is to be monitored, at the cost of the Owner, for the emergence of declared weed species (as listed under *Weed Management Act 1999*) and environmental weed species or other issues

detrimental to the site (Table 2). Monitoring is to be undertaken annually by the Owner or an appointed representative.

If any declared weeds or environmental weeds are recorded during monitoring, they must be eradicated, and all weed debris removed from the site.

Table 1 – Summary of weed control measures

WEED	ACTION	TREATMENT/METHODOLOGY	OUTCOME	TIMING	PRIORITY
Foxglove	Undertake primary control of all plants	Foliage spray plants with approved herbicide or grub out plants. Any flower heads that emerge are to be cut off and disposed off (pile and burnt or double bagged and disposed at an approved waste management facility).	Extent of infestation reduced over time. No further seed setting occurs.	Spring/ Autumn Ongoing	High
	Conduct follow-up control of treated areas	Conduct annual inspection of areas where large infestations controlled and treat regrowth and/or missed plants.	Missed plants or regrowth treated. Foxglove controlled on site	Within 12 months of primary control. Ongoing	High
	Monitoring (across entire site)	Annual inspections of areas where weeds removed previously and all areas where ground is disturbed during construction. Any weeds that are located are to be treated as required.	Foxglove controlled across the site. Foxglove does not establish along access road or around dwelling and shed and in HMA.	Annually in spring. Ongoing	High

Weed Descriptions

Foxglove

Digitalis purpurea.



Family: Scrophulariaceae

Growth Habit: Foxglove is a hardy plant which can grow up to 2m in height.

Type of Plant: A biennial plant which produces a large, leafy rosette in its first year, then a characteristic flowering spike the second year.

Flowers: The flowers are a tubular bell shaped which cluster at the top of the stem. Foxglove flowers come in a variety of mottled colours including white, yellow, purple or pink. These usually hang to one side of the spike. Flowering occurs over a long period from spring to autumn.

Fruit / Seed: Millions of small dark seeds are produced from each plant.

Dispersal: Foxglove reproduces from seed and

wind or water can transport these.

Distribution: A garden escape which can be found growing naturally in many parts of Tasmania, particularly in damp and shady places.

Status: Undeclared in Tasmania.

Weed Impact

- *Foxglove is extremely poisonous. All plant parts must be handled with extreme care.*
- *Foxglove is able to rapidly spread and totally exclude native flora and fauna. a.*

For further information contact the Department of Primary Industry, Water and Environment, Tasmania.

Foxglove - Control Methods

Control	Time Applicable	Notes
Grubbing	Spring, summer, autumn	Hoe in young plants and remove older plants. Collect and dispose of flowers and seeds. Wear gloves, as the entire plant is poisonous.
Herbicide	Spring, summer, autumn	Glyphosate is registered in Tasmania for foxglove use.

N.B. **Always check the herbicide label before use.**