Special Council Meeting - 5 September 2023 Attachments

GLAMORGAN/SPRING BAY COUNCIL

NOTICE OF PROPOSED DEVELOPMENT

Notice is hereby given that an application has been made for planning approval for the following development:

SITE: **945 Dolphin Sands Road, Dolphin Sands**
CT 54666/148

PROPOSAL: **4 lot Subdivision**

Any person may make representation on the application(s) by letter (PO Box 6, Triabunna) or electronic mail (planning@freycinet.tas.gov.au) addressed to the General Manager. Representations must be received before midnight on 17 August 2023.

APPLICANT:	**PDA Surveyors**
DATE:	**10/08/2022**
APPLICATION NO:	**SA 2022 / 034**

GLAMORGAN SPRING BAY COUNCIL

9 Melbourne Street (PO Box 6)
Triabunna TAS 7190
03 6256 4777
03 6256 4774
admin@freycinet.tas.gov.au
www.gsbc.tas.gov.au

Application for Planning Approval

OFFICE USE ONLY			
DATE RECEIVED:		PID:	
FEE:		RECEIPT NUMBER:	
DA:		PROPERTY FILE:	

Advice:

Use this form for all no permit required, permitted and discretionary planning applications including subdivision as well as for planning scheme amendment & minor amendments to permits.

Completing this form in full will help ensure that all necessary information is provided and avoid any delay. The planning scheme in clause 6.0 provides details of other information that may be required. A checklist of application documents is provided on page 4 of this form.

Often, it is beneficial to provide a separate written submission explaining in general terms what is proposed and why and to justify the proposal against any applicable performance criteria.

If you have any queries with the form or what information is required, please contact the office.

Details of Applicant and Owner			
Applicant:	PDA Surveyors, Engineers & Planners (OBO J. Patterson-Were)		
Contact person: (if different from applicant)	Jane Monks		
Address:	127 Bathurst Street		
Suburb:	Hobart	Post Code:	7000
Email:	jane.monks@pda.com.au	Phone: / Mobile:	62343217

Note: All correspondence with the applicant will be via email unless otherwise advised

Owner (if different from applicant)	Jahan Patterson-Were		
Address:			
Suburb:		Post Code:	
Email:		Phone: / Mobile:	

Details of Site *(Note: If your application is discretionary, the following will be placed on public exhibition)*			
Address of proposal:	945 Dolphin Sands Road		
Suburb:	Dolphin Sands	Post Code:	
Size of site: (m^2 or Ha)			
Certificate of Title(s):	54666/148		
Current use of site:	Residential		

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General Application Details *Complete for All Applications*		
Proposal details:	4 lot Subdivision	
Estimated value of works: (design & construction)		$
How will stormwater from buildings and hardstand areas be managed? *(Details must be clearly shown / noted on plans)*	Discharge to a main	
	Discharge to kerb & gutter	
	Discharge to roadside table drain	
	Discharge to natural watercourse	
	Retained on site	

For all Non-Residential Applications	
Hours of Operation	
Number of Employees	
Describe any delivery of goods to and from the site, including the types of vehicles used and the estimated average weekly frequency	
Describe any hazardous materials to be used or stored on site	
Type & location of any large plant or machinery used (refrigeration, generators)	
Describe any retail and/or storage of goods or equipment in outdoor areas	

Personal Information Protection Statement

The personal information requested will be managed in accordance with the *Personal Information Protection Act 2004*. The personal information is being collected by Glamorgan Spring Bay Council for the purposes of managing, assessing, advising on, and determining the relevant application in accordance with the *Land Use Planning and Approvals Act 1993*(LUPPA) and other related purposes, including for the purpose of data collection.

The information may be shared with contractors and agents of the Council for this purpose, law enforcement agencies, courts and other organisations and it may also be made publicly available on the Council's website and available for any person to inspect in accordance with LUPAA. If you do not provide the information sought, Council will be unable to accept and/or process your application.

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Applicant Declaration

I/we hereby apply for planning approval to carry out the use or development described in this application and the accompanying documents and declare that:

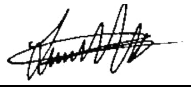
- The information in this application is true and correct.
- I/we authorise Council employees or consultants to enter the site to assess the application.
- I/we have obtained all copy licences and permission from the copyright owner for the publication, communication and reproduction of the application and reports, plans and materials provided as part of the application and for the purposes of managing, assessing, advising on, and determining the application.

I/we authorise the Council to:

- Make available the application and all information, reports, plans, and materials provided with or as part of the application in electronic form on the Council's website and in hard copy at the Council's office and other locations for public exhibition if and as required;
- Make such copies of the application and all information, reports, plans and materials provided with or as part of the application which are, in the Council's opinion, necessary to facilitate a consideration of the application;
- Publish and or reproduce the application and all information, reports, plans and materials provided with or as part of the application in Council agendas, for representors, referral agencies and other persons interested in the application; and
- provide a copy of any documents relating to this application to any person for the purpose of assessment or public consultation and agree to arrange for the permission of the copyright owner of any part of this application to be obtained.

You indemnify the Council for any claim or action taken against the Council for breach of copyright in respect of the application and all information, report, plan, and material provided with or as part of the application.

I/We declare that the Owner has been notified of the intention to make this application in accordance with section 52(1) of *the Land Use Planning and Approvals Act 1993.*

Applicant Signature:		Date:	10/8/22

Owners Consent required if application is on or affects Council or Crown owned or administered land

I declare that I have given permission for the making of this application for use and/or development.

Council General Manager or delegate Signature:		Date:	

If land affected by this application is owned or administered by the Crown or Council, then the written permission of the relevant Minister (or their delegate) and/or the General Manager must be provided. For Crown land, a copy of the instrument of delegation must be provided.

It is the applicant's responsibility to obtain any owners consent prior to lodgement. Written requests for Council consent are via the General Manager. Request for Ministerial consent is to be directed to the relevant department.

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Checklist of application documents:

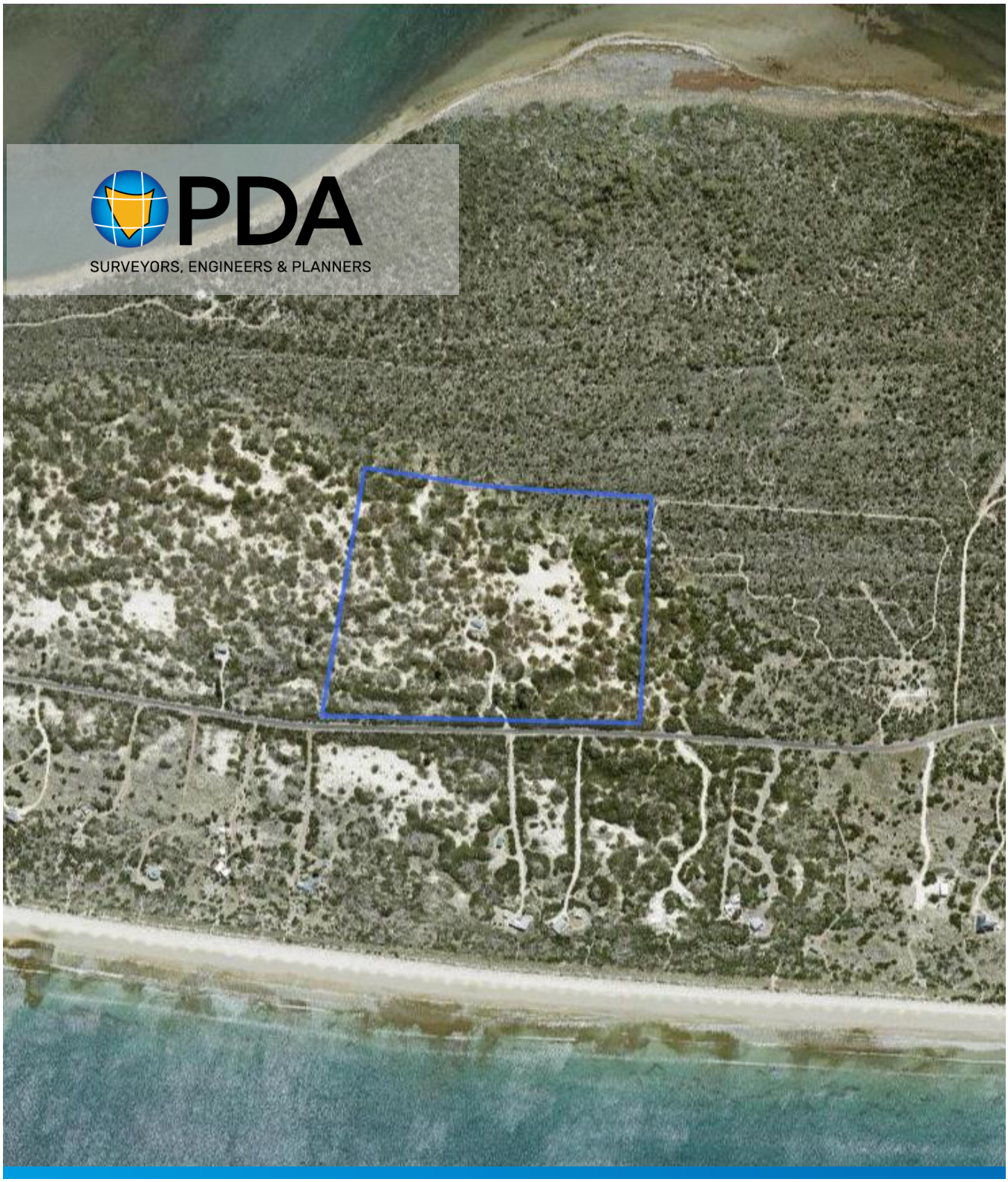
Taken from Section 6 of the Planning Scheme

An application must include:

(a) a signed application form;
(b) any written permission and declaration of notification required under s.52 of the Act and, if any document is signed by the delegate, a copy of the delegation;
(c) details of the location of the proposed use or development;
(d) a copy of the current certificate of title for all land to which the permit sought is to relate, including the title plan; and
(e) a full description of the proposed use or development.

In addition to the information that is required by clause 6.1.2, a planning authority may, in order to enable it to consider an application, require such further or additional information as the planning authority considers necessary to satisfy it that the proposed use or development will comply with any relevant standards and purpose statements in the zone, codes or a specific area plan, applicable to the use or development including:

(a) any schedule of easements if listed in the folio of the title and appear on the plan, where applicable;
(b) a site analysis and site plan at a scale acceptable to the planning authority showing, where applicable:
    (i) the existing and proposed use(s) on the site;
    (ii) the boundaries and dimensions of the site;
    (iii) topography including contours showing AHD levels and major site features;
    (iv) natural drainage lines, watercourses and wetlands on or adjacent to the site;
    (v) soil type;
    (vi) vegetation types and distribution including any known threatened species, and trees and vegetation to be removed;
    (vii) the location and capacity and connection point of any existing services and proposed services;
    (viii) the location of easements on the site or connected to the site;
    (ix) existing pedestrian and vehicle access to the site;
    (x) the location of existing and proposed buildings on the site;
    (xi) the location of existing adjoining properties, adjacent buildings and their uses;
    (xii) any natural hazards that may affect use or development on the site;
    (xiii) proposed roads, driveways, parking areas and footpaths within the site;
    (xiv) any proposed open space, common space, or facilities on the site; and
    (xv) proposed subdivision lot boundaries;
(c) where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 as required by the planning authority showing, where applicable:
    (i) the internal layout of each building on the site;
    (ii) the private open space for each dwelling;
    (iii) external storage spaces;
    (iv) parking space location and layout;
    (v) major elevations of every building to be erected;
    (vi) the relationship of the elevations to existing ground level, showing any proposed cut or fill;
    (vii) shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites; and
    (viii) materials and colours to be used on roofs and external walls.



Planning Report

945 Dolphin Sands Road, Dolphin Sands
4 Lot Subdivision

50004HC | August 2022

PDA
SURVEYORS, ENGINEERS & PLANNERS

Table of Contents

PDA Contributors

Planning Assessment	Jane Monks	Aug 2022
Review & Approval	Hugh Clement	Aug 2022

Revision History

Revision	Description	Date
0	First Issue	Aug 2022
1	Revision	

EXECUTIVE SUMMARY

Council approval is sought for a 4 lot subdivision at 945 Dolphin Sands Road, Dolphin Sands. This planning assessment, combined with supplimentary documention has been provided in support of the proposed development.

Development Details:

Client/Owner	Jahan Patterson-Were
Property Address	945 Dolphin Sands Road, Dolphin Sands
Proposal	4 Lot Subdivision
Land Area	12.14ha±

PID / CT	5278431	54666/148
Planning Ordinance	*Tasmanian Planning Scheme – Glamorgan Spring Bay*	
Land Zoning	GSB-P1.0 Particular Purpose - Dolphin Sands	
Specific Areas Plans	N/A	
Code Overlays	Bushfire Prone Area Priority Vegetation Area	

Use Status	Residential
Application Status	Discretionary

1. Introduction/Context

Council approval is sought for a 4 lot subdivision at 945 Dolphin Sands Road, Dolphin Sands. In support of the proposal, the following associated documents have been provided in conjunction with this planning assessment:

- The Title Plan and Folio: CT 54666/148
- Proposed Plan of Subdivision: PDA 50004HC-1

1.1. The Land

Figure 1. Existing aerial image of the subject land (LISTmap, 2022)

The subject land is located at 945 Dolphin Sands Road, Dolphin Sands (PID:5278431). It is a square shaped parcel of land with a total land area of 12.14ha±, as illustrated in Figure 1. The land is characterised by native scrub and sandy openings spread across an array of dunes. There is an existing dwelling and associated outbuildings located centrally on the land, with vehicular access provided the southern boundary that adjoins Dolphin Sands Road.

1.2 Natural Values

The subject land is within the catchment of the Moulting Lagoon Ramsar Site, however, preliminary advice from Mark Wapstra of Environmental Consulting Options Tasmania (ECO*tas*). It is expected that the land have similar qualities to the neighbouring land at 907 Dolphin Sands Road, where no natural values were identified, as no evidence of priority vegetation was found. Nevertheless, a Natural values assessment is being undertaken by ECO*tas* to identify the ecological values of the land, and to ensure if there are any notable values on site, that they are suitably considered and managed. The final report will be forwarded to council as soon as it is available.

2. Proposal

A Planning Permit for a 4 lot subdivision is sought, in accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* and Clause 6.8 of the *Tasmanian Planning Scheme – Glamorgan Spring Bay*.

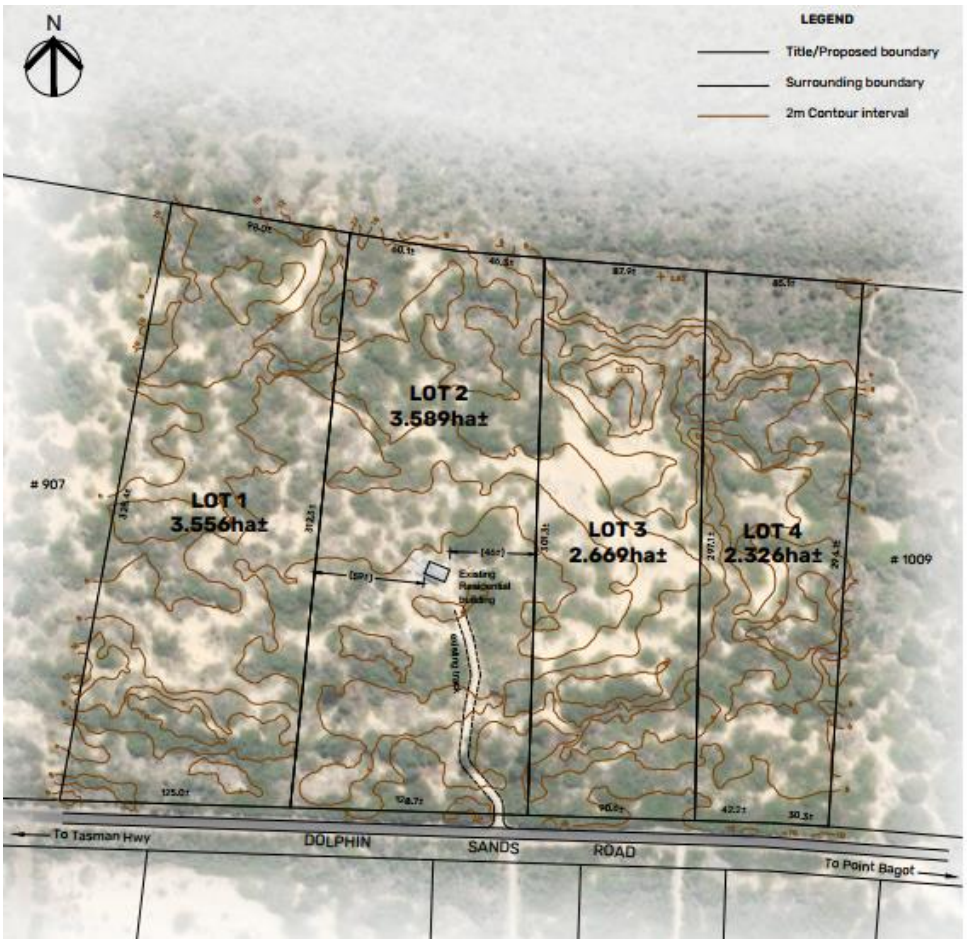


Figure 2. Proposed Plan of Subdivision
(Please refer to the attached file 50004HC for complete Plan of Subdivision)

It is proposed that the land of title CT 54666/148 be subdivided into 4 rectangular lots, in keeping with the existing character of development of the land along Dolphin Sands Road, as shown in Figure 2. The existing dwelling and access will be wholly encompassed into lot 2.

3. Planning Assessment

This current proposal for subdivision has been developed in accordance with the *Tasmanian Planning Scheme – Glamorgan Spring Bay*.

3.1. Use Class

Residential

3.2 Zoning

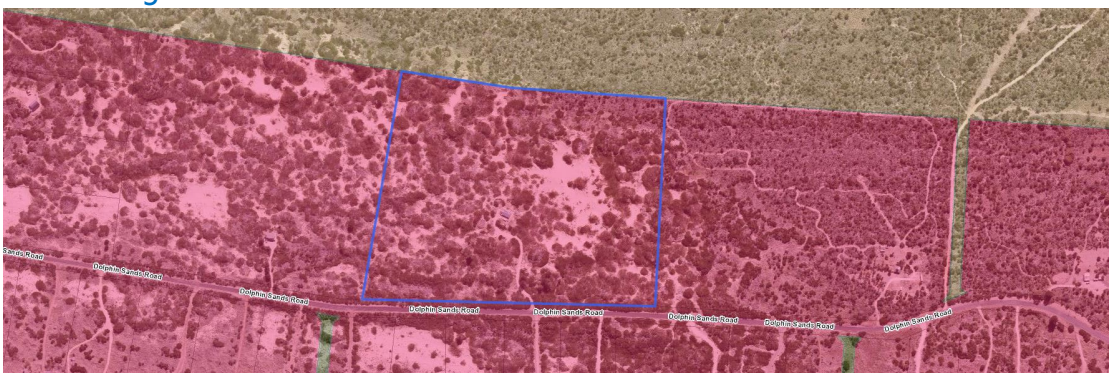


Figure 3. Zoning identification of the subject land and surrounds (LISTmap 2022)

The subject land is located within a Particular Purpose Zone – Dolphin Sands, with the northern boundary bordering a Rural Zone, as shown in Figure 3.

3.3 Zone Standards: Particular Purpose - Dolphin Sands

GSB-P1.7 Development standards for Subdivision

GSB-P1.7.1 Subdivision

Objective:	
To prevent subdivision of land other than that necessary for existing or approved uses or for the management of environmental values.	
Acceptable Solutions	Performance Criteria
A1 Subdivision must be for the consolidation of lots if no additional lots are created.	**P1** Subdivision of land must: (a) provide for public open space, a public reserve, public services or utilities; or (b) have a minimum frontage of 60m; and (c) not create a lot that is less than 1 hectare in area.

Response:

P1 is met: The subdivision of the land satisfies the performance criteria as follows:

(b) at 125.0m±, 128.7m±, 90.6m±, and 72.5m±, each lot has been provided with a frontage is over 60m;

(c) at 3.556ha±, 3.589ha±, 2.669ha±, and 2.326ha±, the area of each lot is over 1ha in size

3.4 Codes

Figure 4. Scheme Overlay identification of the subject land and surrounds (LISTmap, 2022)

The subject land is entirely overlayed with a Bushfire Prone Area and Priority Vegetation Area, as illustrated in Figure 4. Whilst the proposed subdivision also requires the following Codes under the Tasmanian Planning Scheme – Glamorgan Spring Bay to be considered.

Code	*Comments:*
C1.0 Signs Code	*N/A*
C2.0 Parking & Sustainable Transport Code	As this Code is relevant to this proposal, an assessment is provided below
C3.0 Road and Railway Assets Code	As this Code is relevant to this proposal, an assessment is provided below
C4.0 Electricity Transmission Infrastructure	*N/A*
C5.0 Telecommunications Code	*N/A*
C6.0 Local Historic Heritage Code	*N/A*
C7.0 Natural Assets Code	Please refer to the attached Natural Values Assessment prepared by Mark Wapsta of Environmental Consulting Options Tasmania
C8.0 Scenic Protection Code	*N/A*
C9.0 Attenuation Code	*N/A*
C10.0 Coastal Erosion Hazard Code	*N/A*
C11.0 Coastal Inundation Hazard Code	*N/A*
C12.0 Flood-Prone Areas Hazard Code	*N/A*
C13.0 Bushfire-Prone Areas Code	Please refer to the attached *Bushfire Hazard Report* prepared by Mark Van den Berg of Geo-Environmental Solutions Pty Ltd
C14.0 Potentially Contaminated Land Code	*N/A*
C15.0 Landslip Hazard Code	*N/A*
C16.0 Safeguarding of Airports Code	*N/A*

PDA SURVEYORS, ENGINEERS & PLANNERS

3.5 Code Standards

C2.0 Parking and Sustainable Transport Code

C2.6 Development Standards for Buildings and Works

C2.6.3 Number of accesses for vehicles

Objective:	
That: (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses; (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and (c) the number of accesses minimise impacts on the streetscape.	
Acceptable Solutions	
A1 The number of accesses provided for each frontage must: (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.	
Response:	
A1 is met: Each lot has no more than one vehicle access point per road frontage	

C3.0 Road and Railway Assets Code

C3.7 Development Standards for subdivision

C3.7.1 Subdivision for sensitive uses with a road or railway attenuation area

Objective:	
To minimise the effects of noise, vibration, light and air emissions on lots for sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.	
Acceptable Solutions	
A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.	
Response:	
A1 is met: *Not applicable* - the proposal is not in any road or railway attenuation area.	

C7.0 Natural Assets Code

A Natural values assessment is being undertaken by ECO*tas* to identify the ecological values of the land, and to ensure if there are any notable values on site, that they are suitably considered and managed. Preliminary advice from Mark Wapstra of ECO*tas,* anticipates that the land will have similar qualities to the neighbouring land at 907 Dolphin Sands Road, where no natural values were identified, as no evidence of priority vegetation was found, and therefore allow compliance with this code. The final report will be forwarded to council as soon as it is available.

C13.0 Bushfire-Prone Areas Code

Preliminary advice from bushfire consultant Mark Van den Berg of Geo-Environmental Solutions Pty Ltd, is that similar to 907 Dolphin Sands Road, buffer distances of 22m to achieve BAL 19 will allow compliance with this code. The final report will be forwarded to council as soon as it is available.

Conclusion

The planning assessment and supporting documentation provided, demonstrates that the development proposal for a 4 lot subdivision at 907 Dolphin Sands Road, Dolphin Sands, meets all requirements of the Tasmanian Planning Scheme – Glamorgan Spring Bay.

Yours faithfully,
PDA Surveyors, Engineers & Planners
Per:

Jane Monks

Contact

For any enquiries, please contact one of our offices:

HOBART
A: 127 Bathurst Street, Hobart Tasmania 7000
P: (03) 6234 3217
E: pda.hbt@pda.com.au

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P: (03) 6229 2131
E: pda.ktn@pda.com.au

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E: pda.huon@pda.com.au

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E: pda.dpt@pda.com.au

WALTER SURVEYS
A: 127 Bathurst Street, Hobart, TAS 7000 (Civil Site Surveying and Machine Control)
P: 0419 532 669 (Tom Walter)
E: tom.walter@waltersurveys.com.au

PDA
SURVEYORS, ENGINEERS & PLANNERS

www.pda.com.au

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
54666	148
EDITION	DATE OF ISSUE
6	20-Aug-2015

SEARCH DATE : 10-Aug-2022
SEARCH TIME : 10.09 AM

DESCRIPTION OF LAND

Parish of CAMBRIA, Land District of GLAMORGAN
Lot 148 on Sealed Plan 54666 (formerly being SP2798)
Derivation : Part of Lot 36 Gtd to G Meredith
Prior CT 2698/85

SCHEDULE 1

M522962 TRANSFER to JAHAN PATTERSON-WERE Registered 20-Aug-2015 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 54666 BENEFITING EASEMENTS: Rights of Carriageway in Schedule of Easements
SP 54666 FENCING PROVISION in Schedule of Easements
E12919 MORTGAGE to Commonwealth Bank of Australia Registered 20-Aug-2015 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

REGISTERED NUMBER
54666

INDEX PLAN
SEE ALSO 8 ANNEXURES

LAND DISTRICT C

PARISH OF

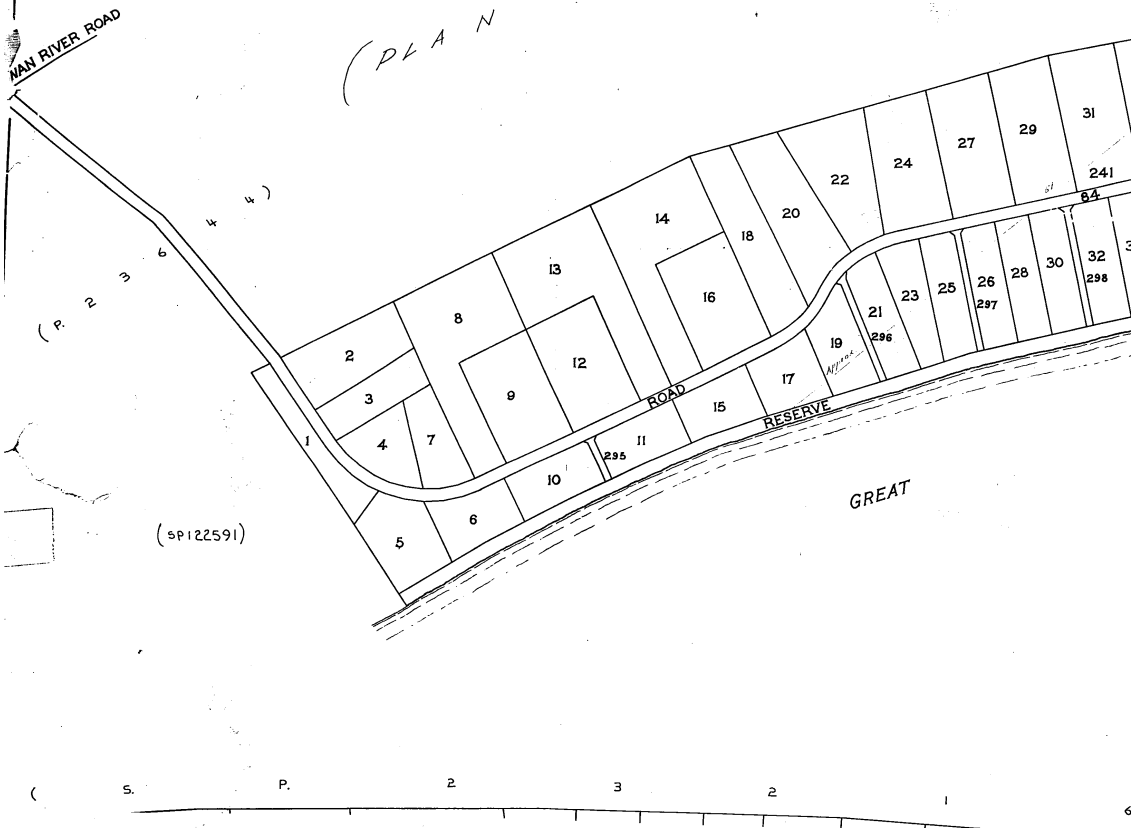
PART OF 2674 · 0 · 0. GTD.
PART OF LOT 36, 2715 · 0 · 0. GE

SCALE :- 500 FEET TO

C. H. I. (Tas.) Pty. Ltd. conv.
D. J. Burbury (R.O.W.)

(P. 1 1 1 6 2

(PLAN 1 2 0)



(S. P. 2 3 2 1 6

S.P. 2798

CT OF GLAMORGAN

OF CAMBRIA

2674 · 0 · 0. GTD. TO GEORGE MEREDITH.

T 36, 2715 · 0 · 0. GEORGE MEREDITH PURCHASER.

EFFECTIVE FROM 15 MAY 1979

– 500 FEET TO AN INCH

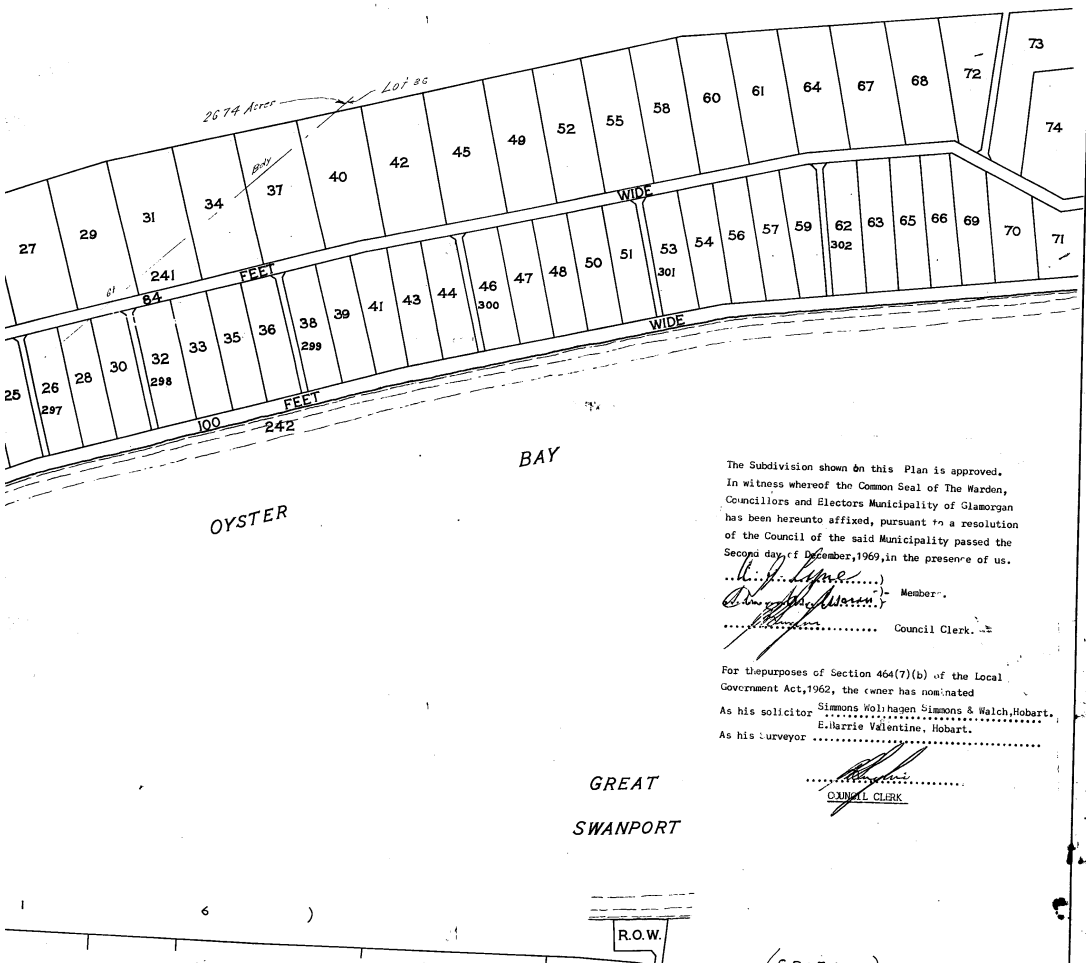
Tas) Ply. Ltd. Conv. 41/8074

urbury (R.O.W.)

Recorder of Titles

(P. 111628)

(S. P. 232164)



The Subdivision shown on this Plan is approved.
In witness whereof the Common Seal of The Warden, Councillors and Electors Municipality of Glamorgan has been hereunto affixed, pursuant to a resolution of the Council of the said Municipality passed the Second day of December, 1969, in the presence of us.

..... Member.

..... Council Clerk.

For the purposes of Section 464(7)(b) of the Local Government Act, 1962, the owner has nominated

As his solicitor Simmons Wolfhagen Simmons & Walch, Hobart.

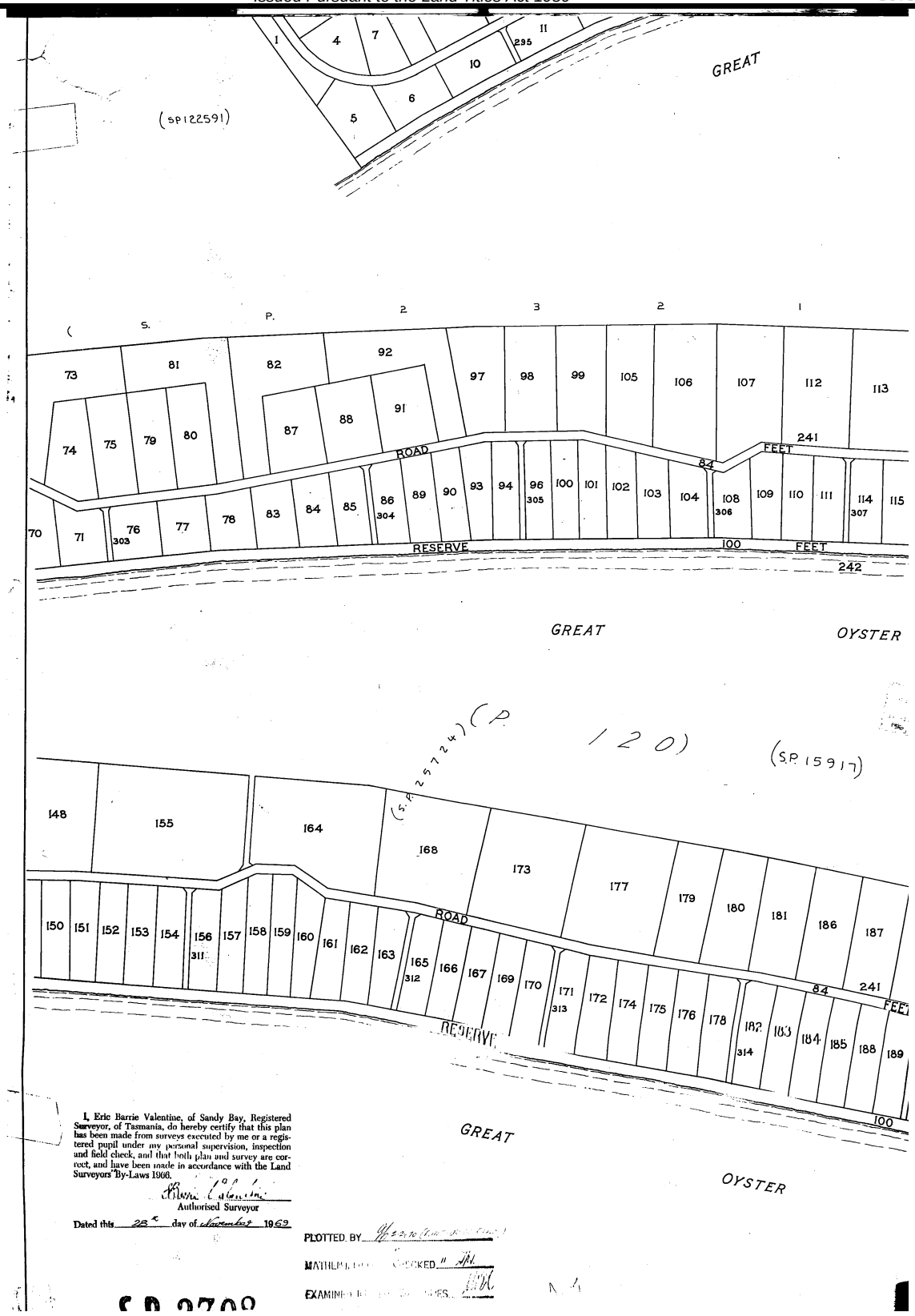
As his surveyor E. Harrie Valentine, Hobart.

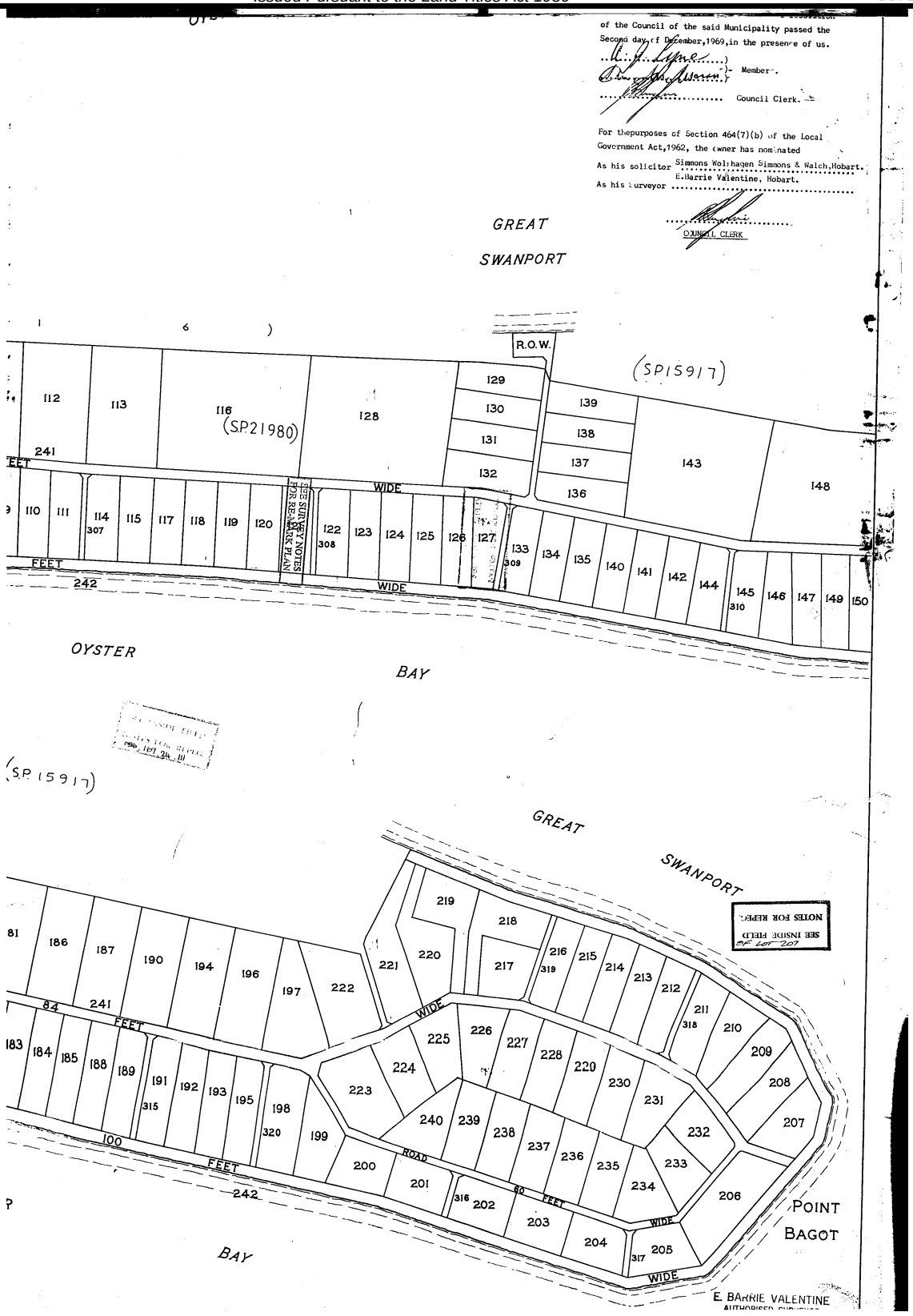
COUNCIL CLERK

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

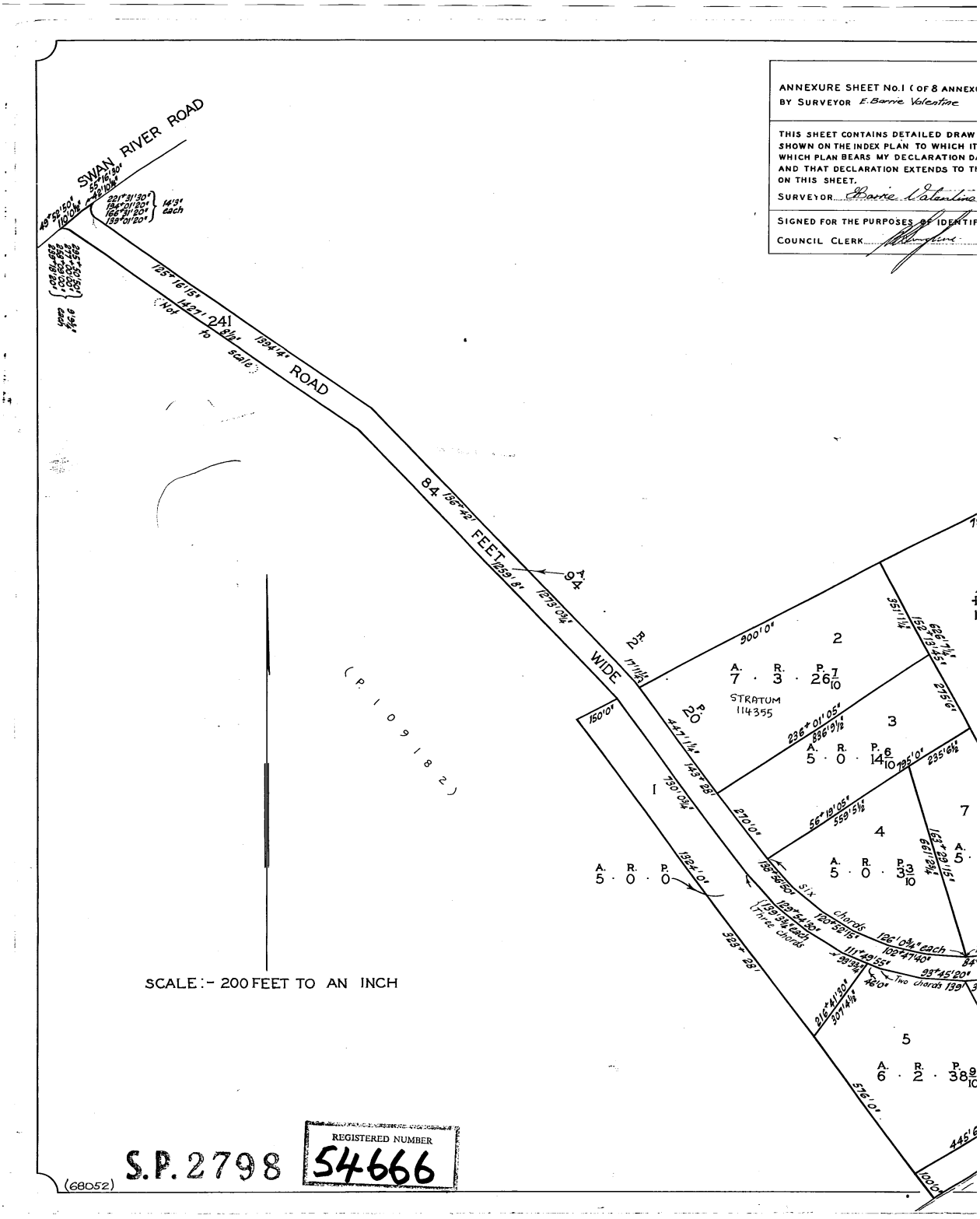



of the Council of the said Municipality passed the
Second day of December,1969,in the presence of us.
Member.
Council Clerk.
For thepurposes of Section 464(7)(b) of the Local
Government Act,1962, the owner has nominated
As his solicitor Simmons Wolfhagen Simmons & Walch,Hobart.
As his surveyor E.Barrie Valentine, Hobart.
COUNCIL CLERK
GREAT
SWANPORT
R.O.W.
(SP15917)
(SP21980)
241 FEET WIDE
242 FEET WIDE
SEE SURVEY NOTES ON RESPECTIVE PLAN
OYSTER
BAY
(SP15917)
GREAT
SWANPORT
NOTES FOR REFN. SEE INSIDE FIELD OF LOT 207
84 241 FEET WIDE
100 FEET 242
ROAD 60 FEET WIDE
POINT
BAGOT
BAY
E. BARRIE VALENTINE

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



FOLIO PLAN

RECORDER OF TITLES

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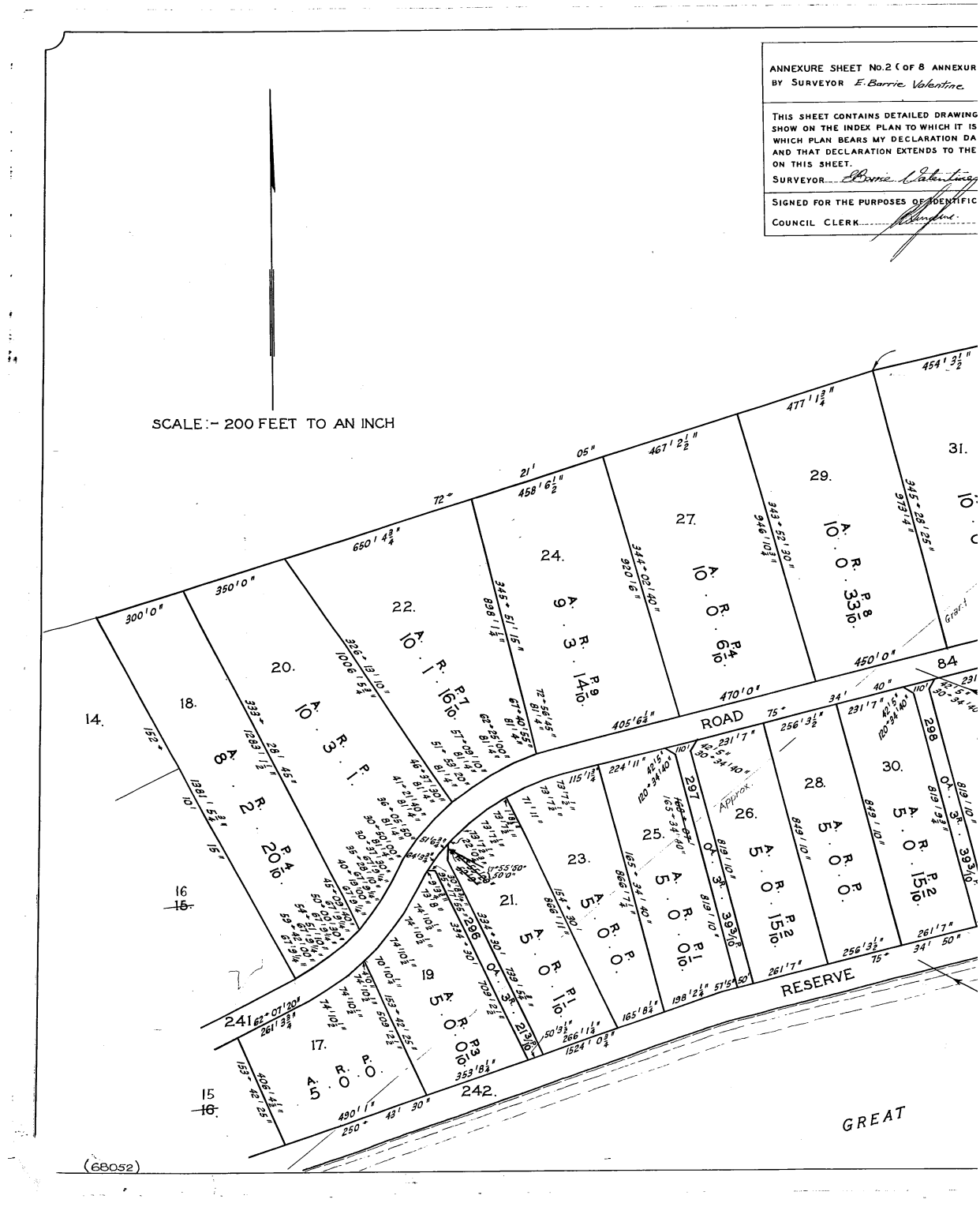
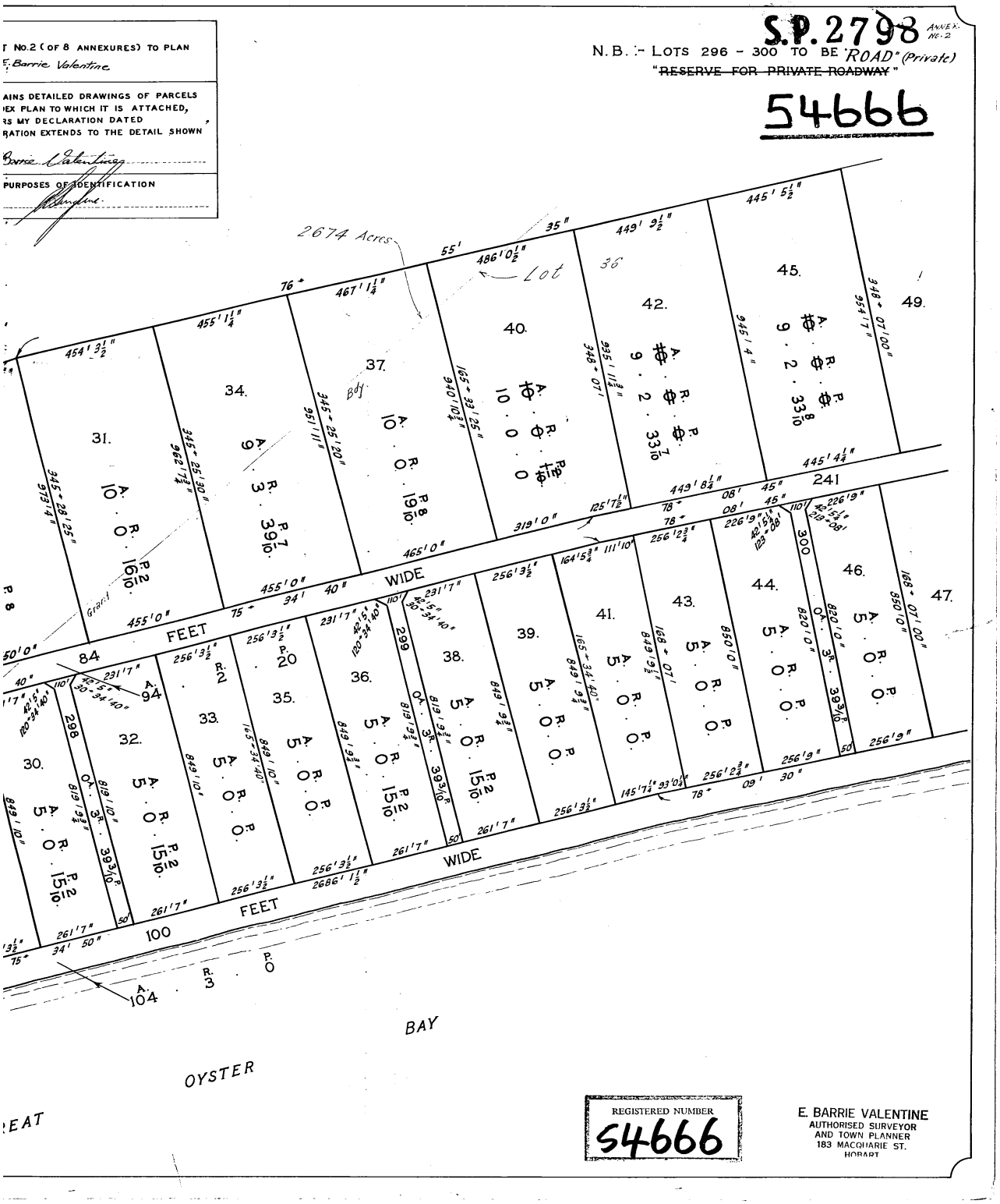


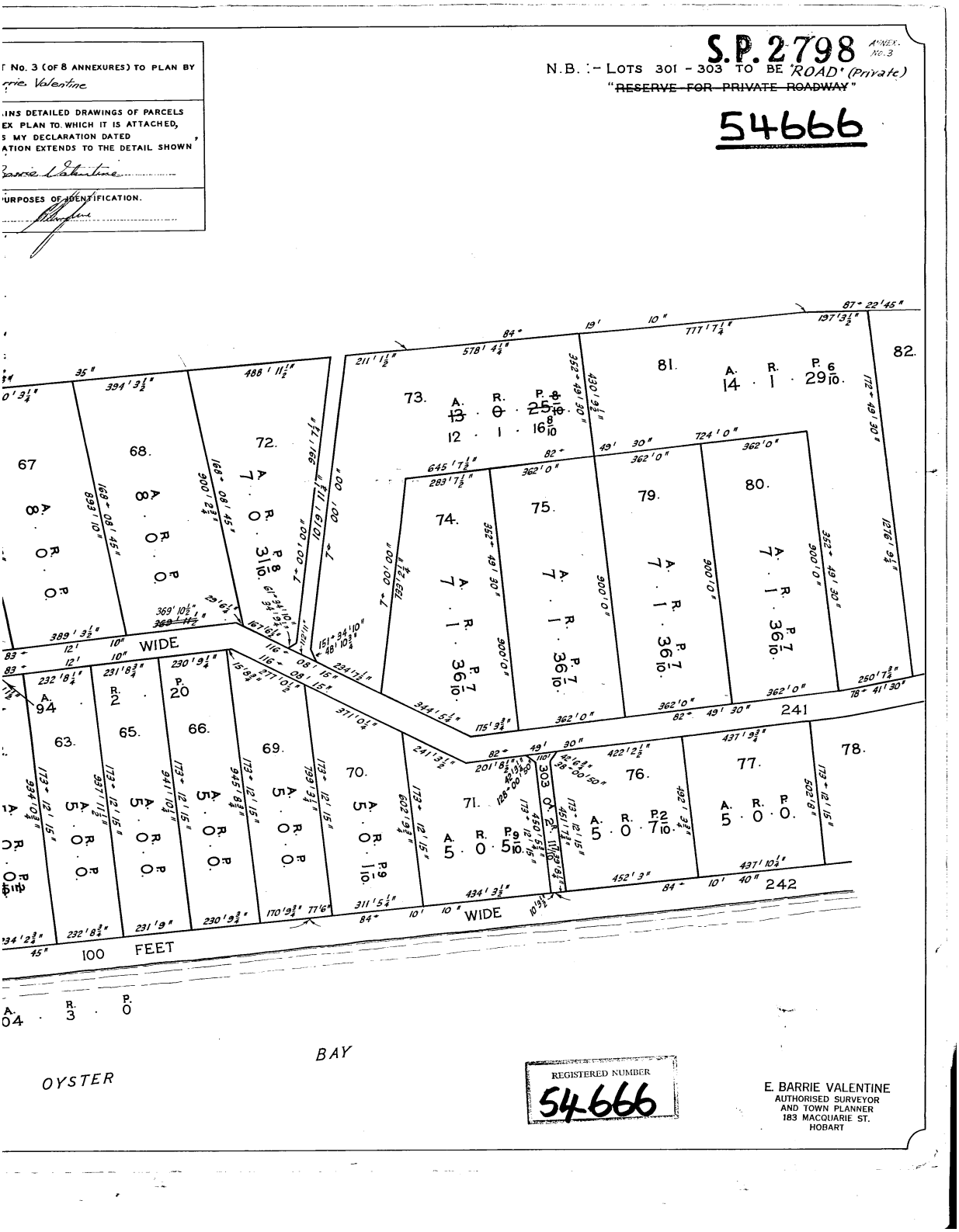

S.P. 2798
ANNEX. NO. 2
N.B. :- LOTS 296 - 300 TO BE "ROAD" (Private)
"RESERVE FOR PRIVATE ROADWAY"
54666
T NO.2 (OF 8 ANNEXURES) TO PLAN
E. Barrie Valentine
AINS DETAILED DRAWINGS OF PARCELS
EX PLAN TO WHICH IT IS ATTACHED,
RS MY DECLARATION DATED
RATION EXTENDS TO THE DETAIL SHOWN
Barrie Valentine
PURPOSES OF IDENTIFICATION
2674 Acres
Lot
36
WIDE
FEET
BAY
OYSTER
REGISTERED NUMBER
54666
E. BARRIE VALENTINE
AUTHORISED SURVEYOR
AND TOWN PLANNER
183 MACQUARIE ST.
HOBART

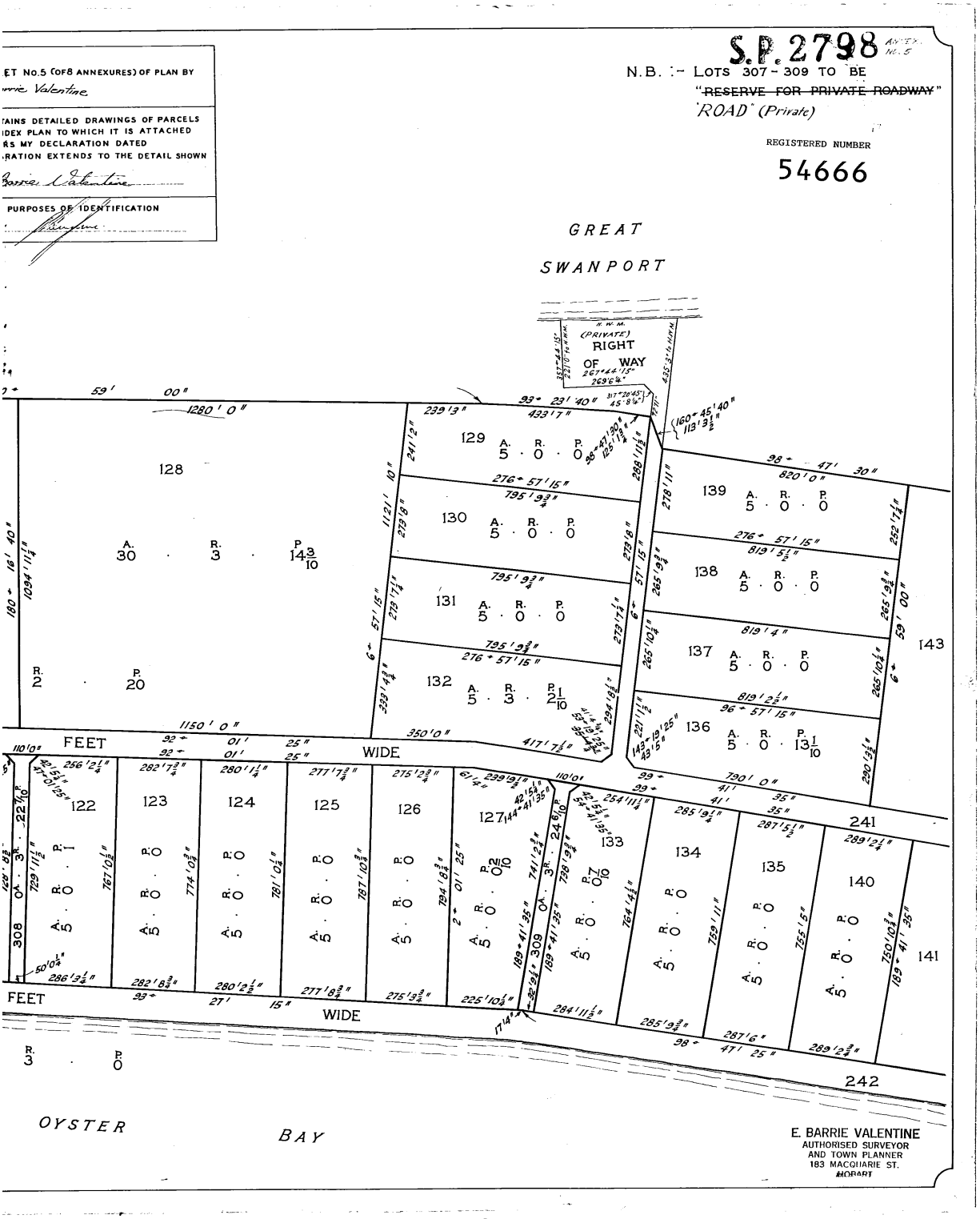
FOLIO PLAN

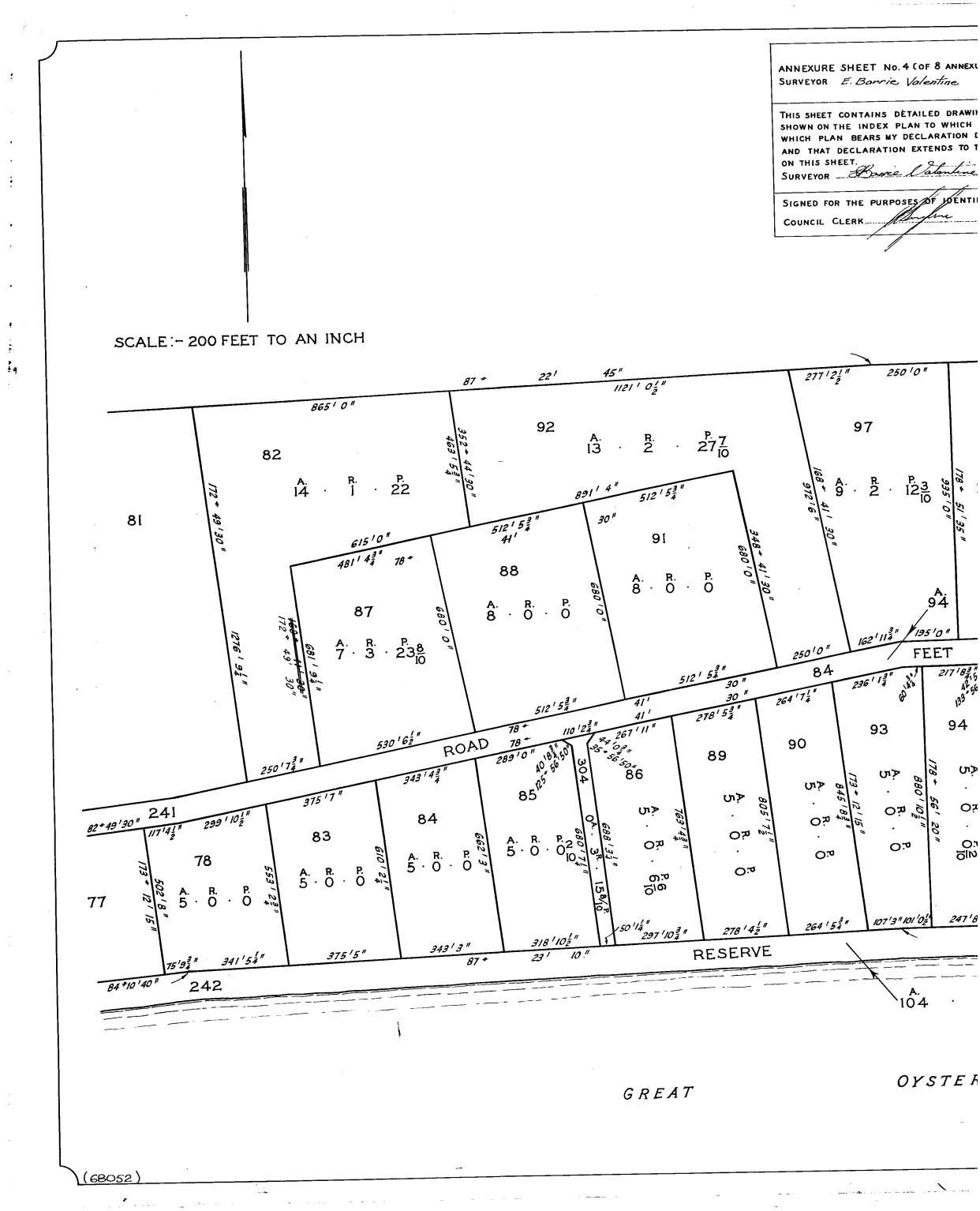
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

Tasmanian Government







S.P. 2798

ET No. 4 (OF 8 ANNEXURES) TO PLAN BY
Barrie Valentine

AINS DETAILED DRAWINGS OF PARCELS
IDEX PLAN TO WHICH IT IS ATTACHED,
ARS MY DECLARATION DATED ,
URATION EXTENDS TO THE DETAIL SHOWN

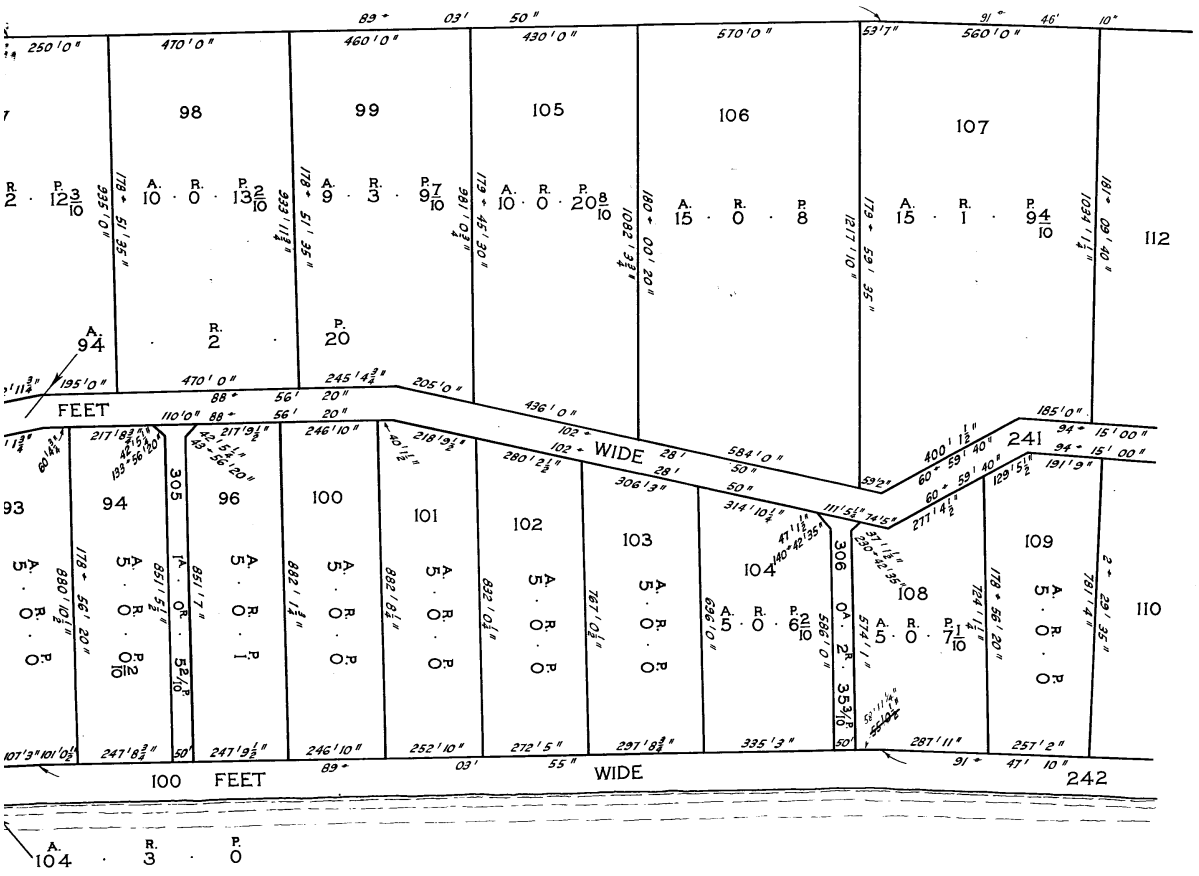
Barrie Valentine

PURPOSES OF IDENTIFICATION

N.B. :- LOTS 304 - 306 TO BE "ROAD (Private)
~~"RESERVE FOR PRIVATE ROADWAY"~~

54666

SEE INSIDE FIELD NOTES FOR REPEG. LAST 92



OYSTER BAY

REGISTERED NUMBER
54666

E. BARRIE VALENTINE
AUTHORISED SURVEYOR
AND TOWN PLANNER
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HOBART

FOLIO PLAN

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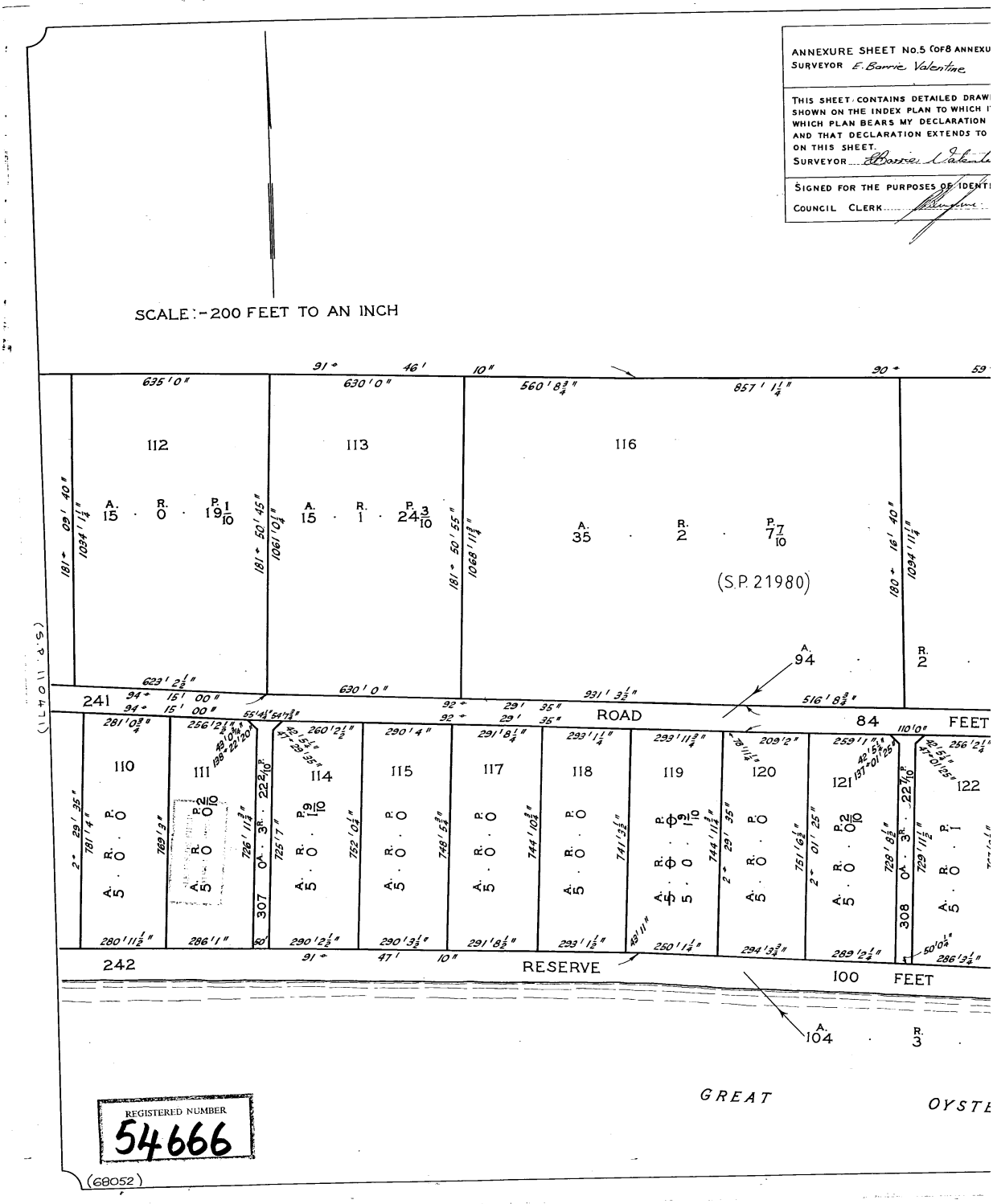

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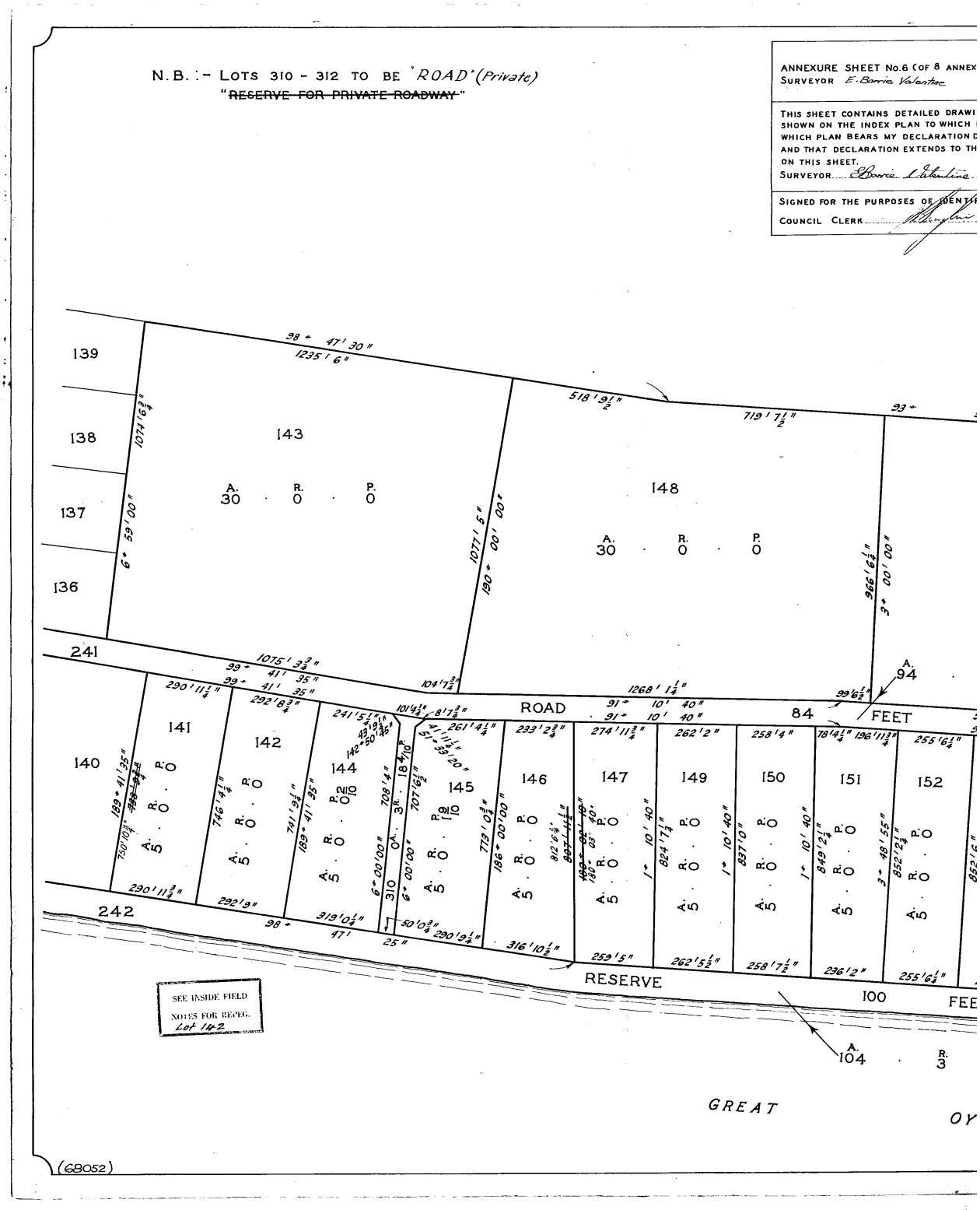

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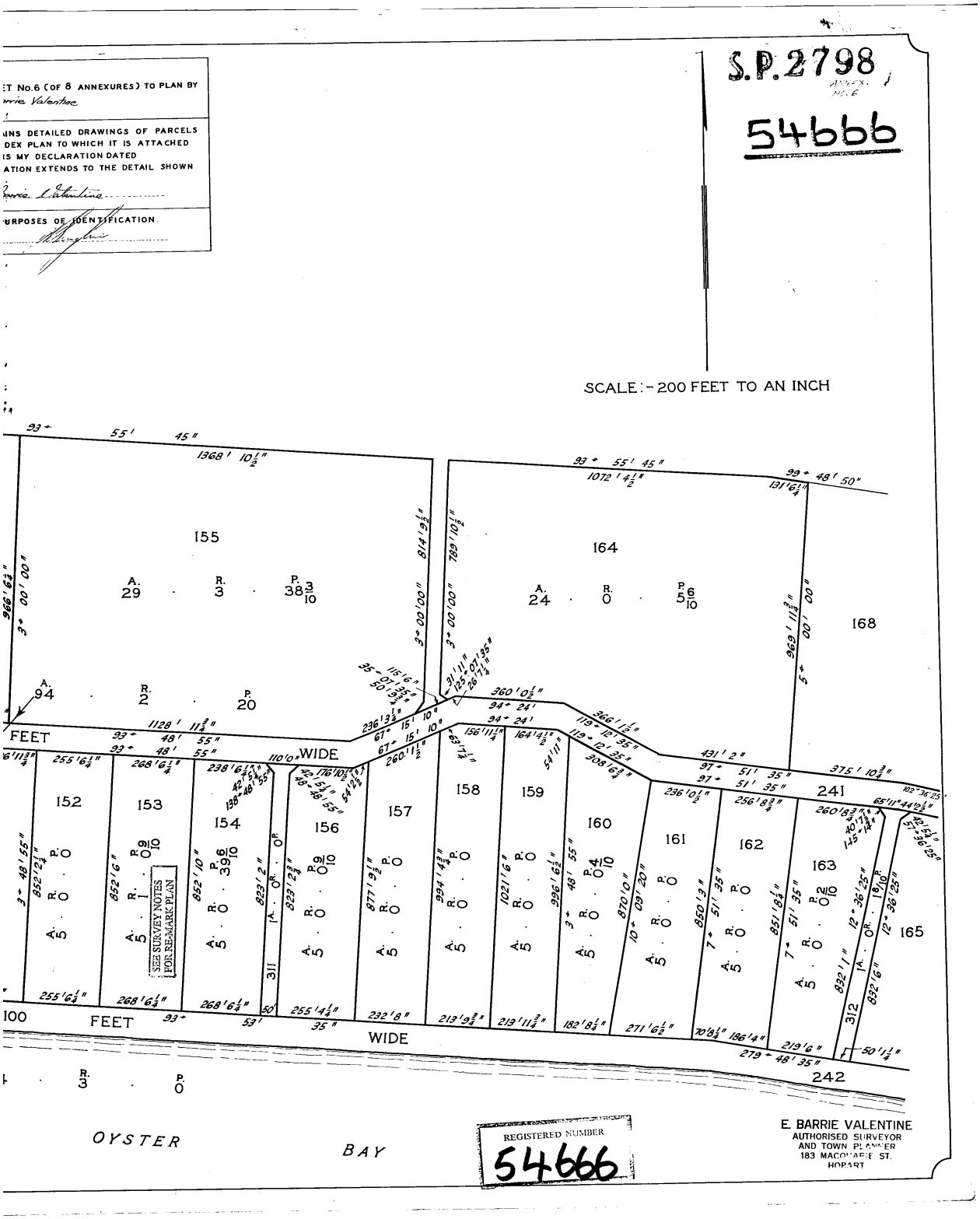

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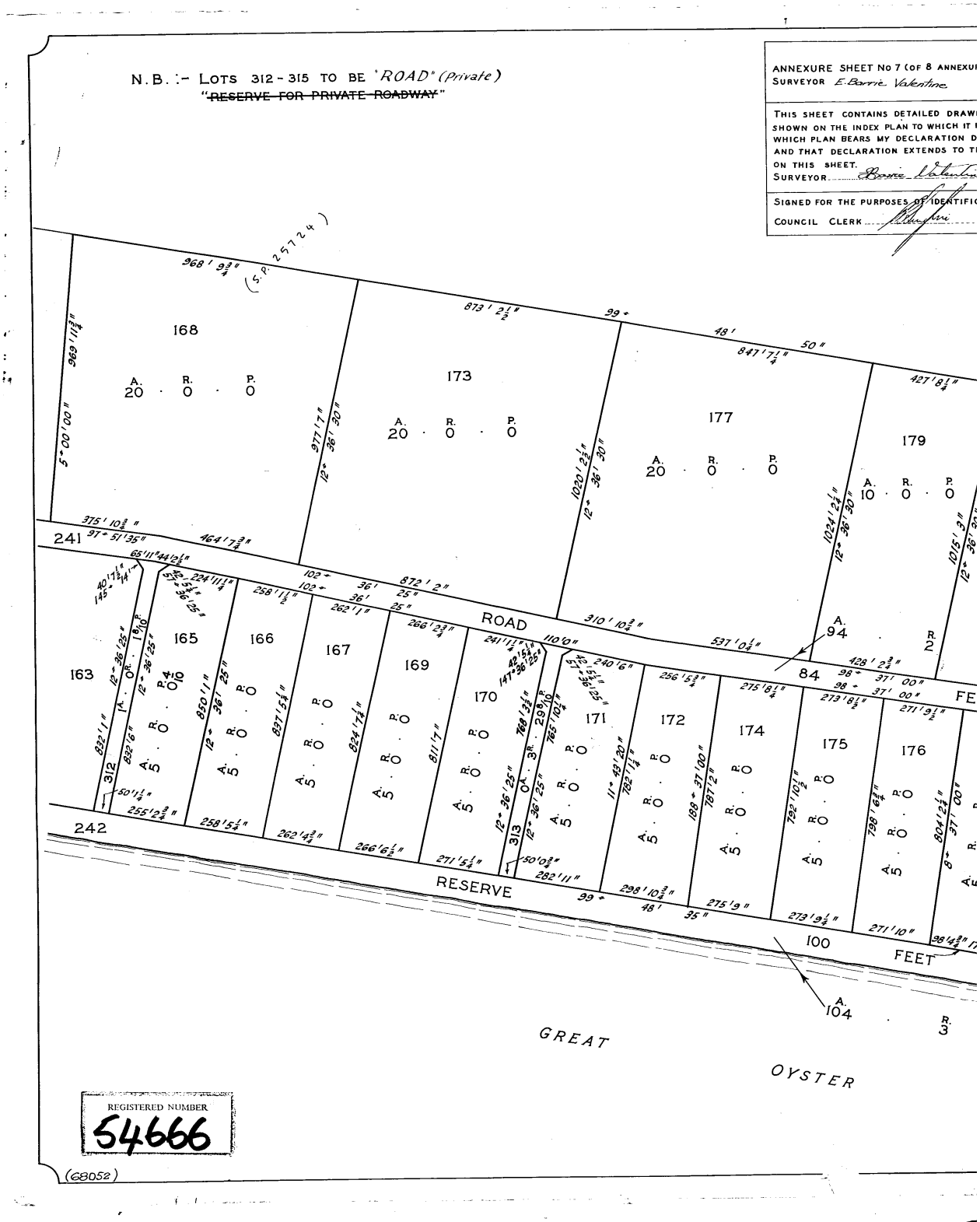

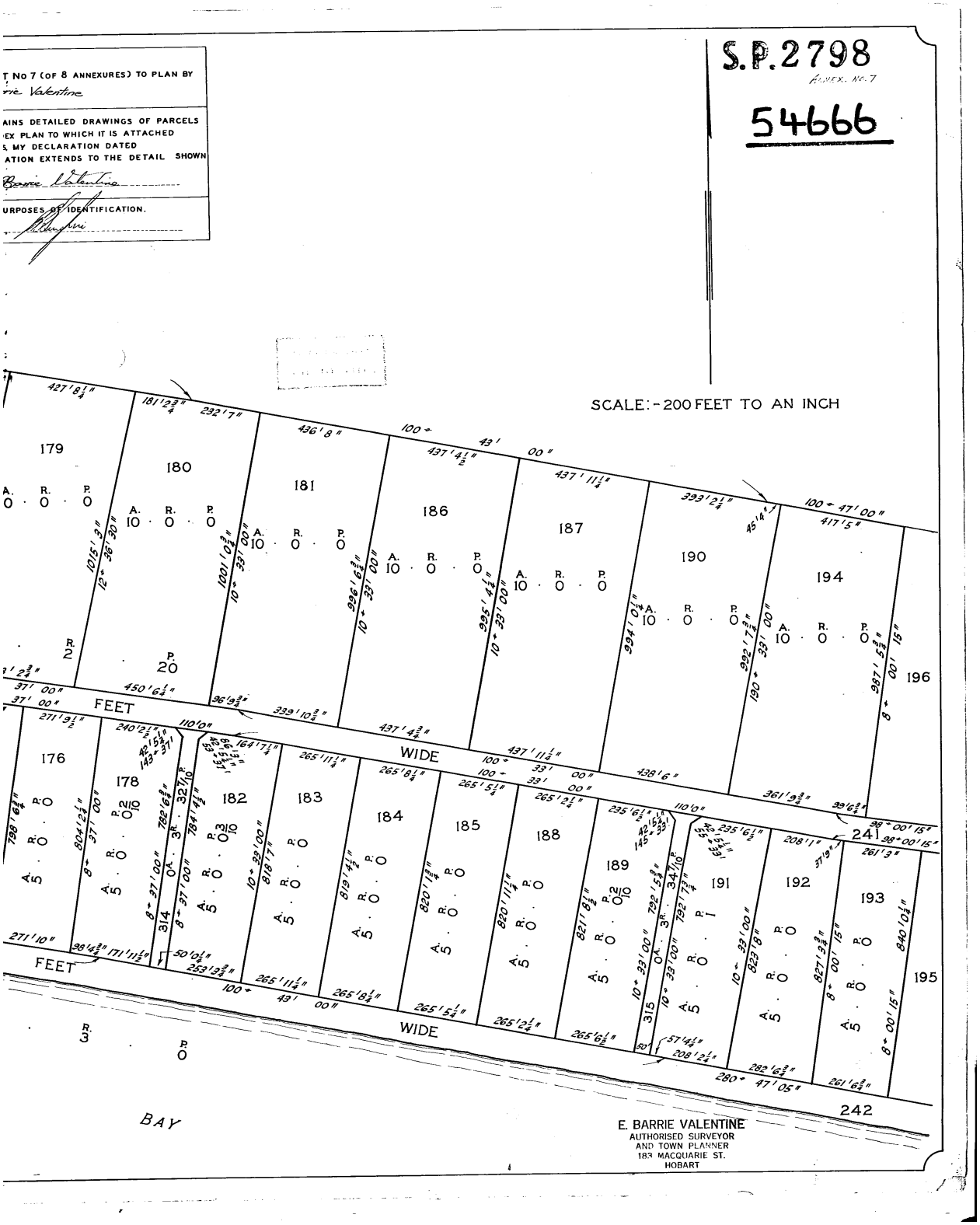

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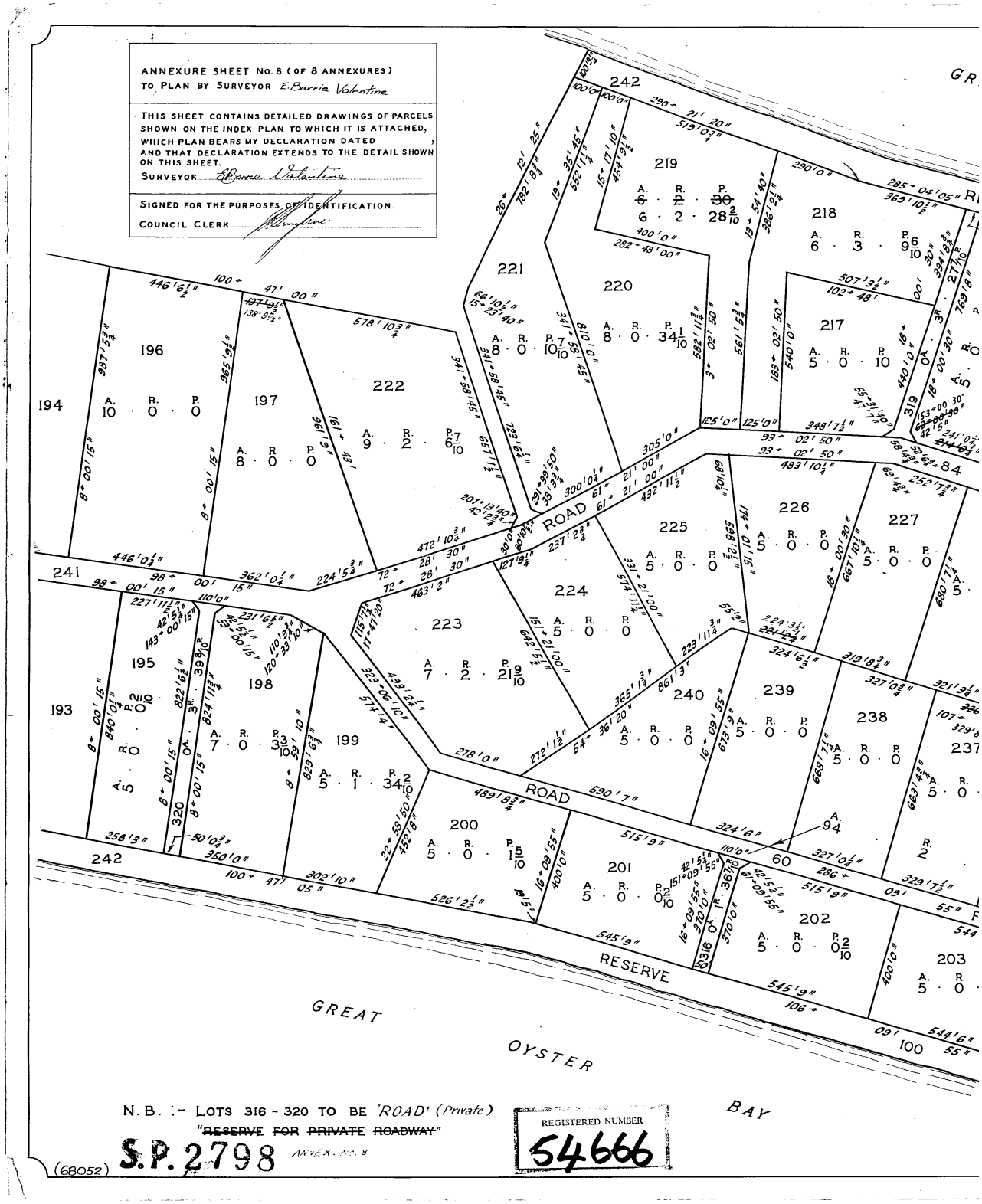

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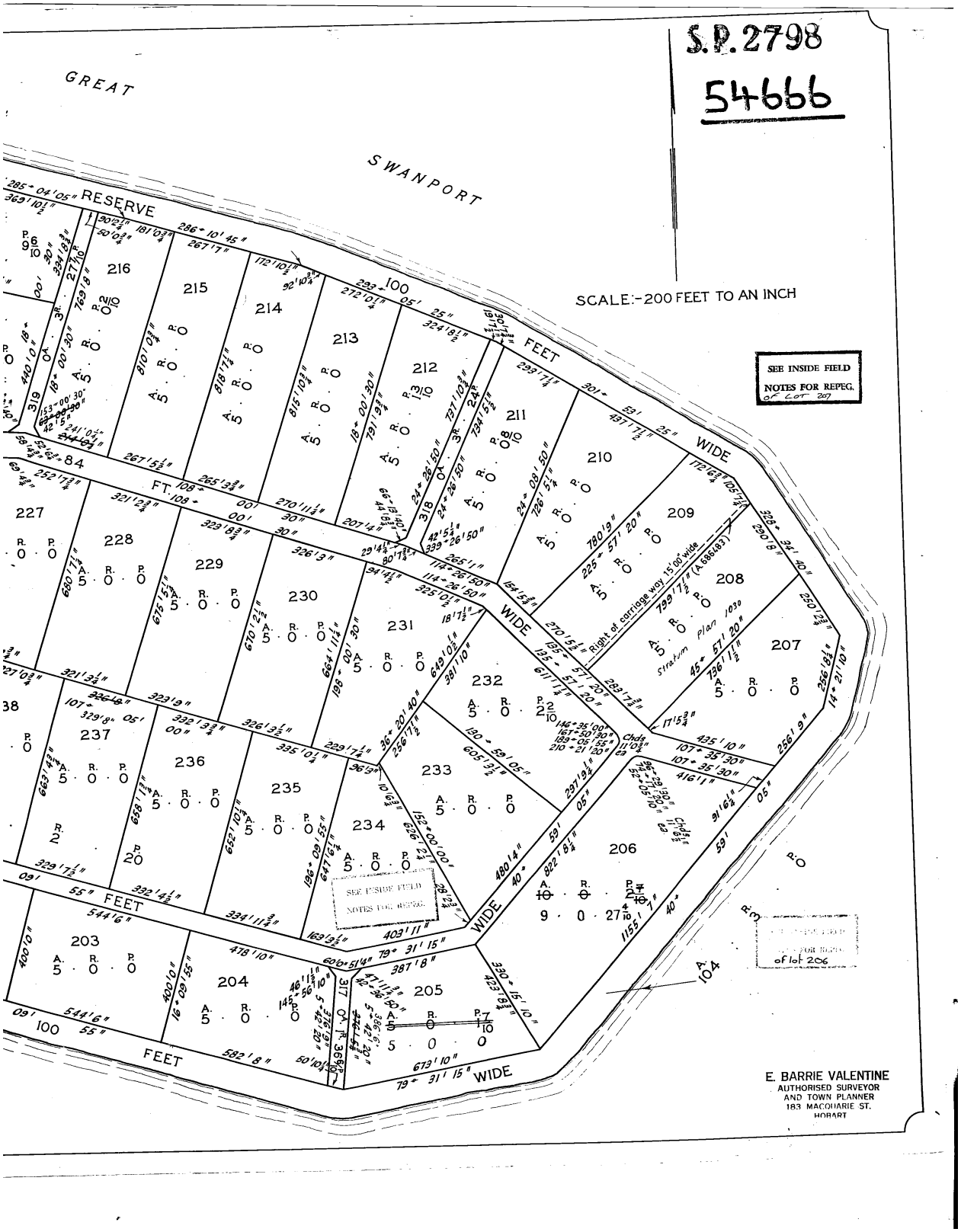


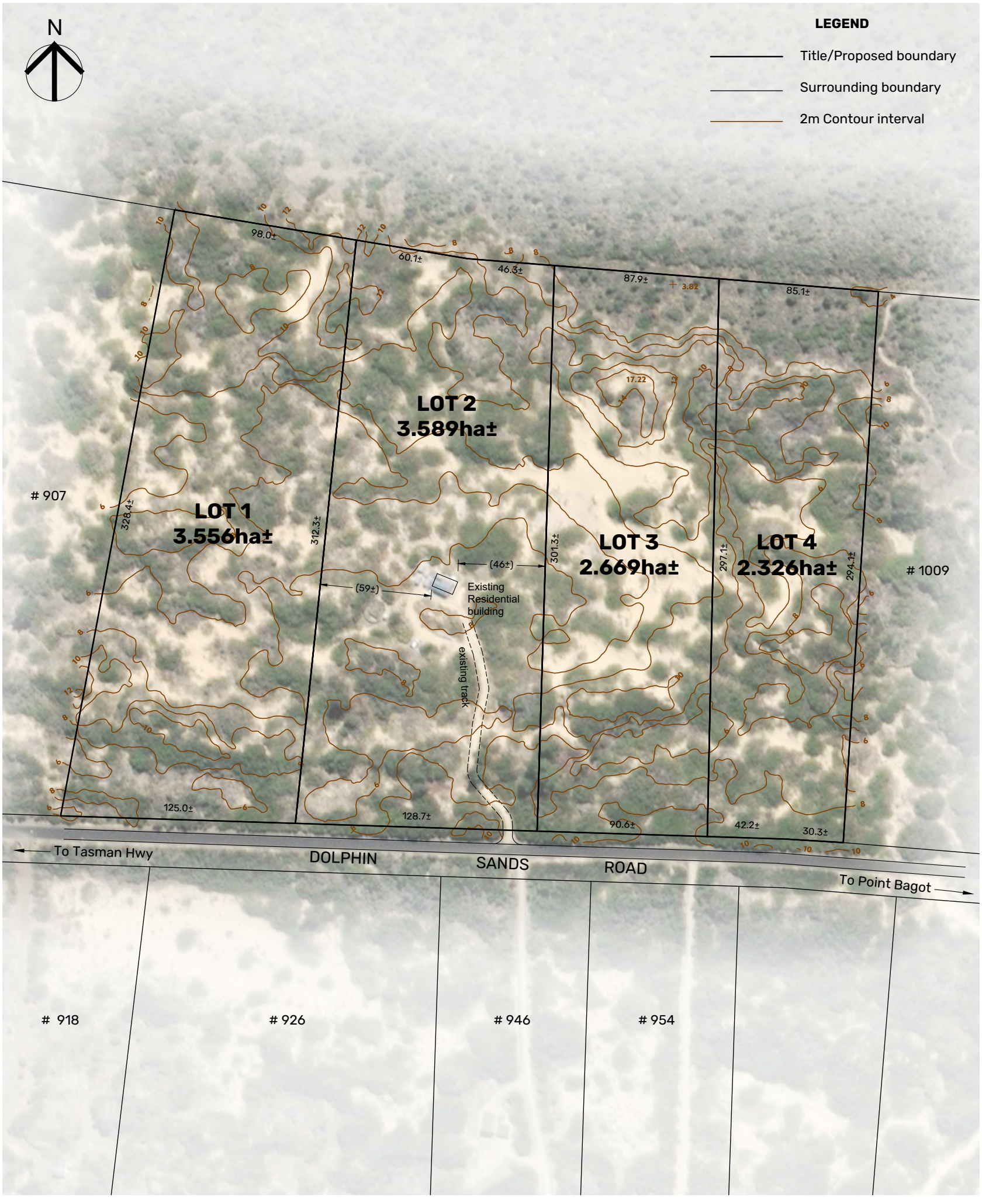
PLAN OF SUBDIVISION

PDA
SURVEYORS, ENGINEERS & PLANNERS

3 Franklin Street,
Swansea, Tasmania, 7190
PHONE: +61 03 6130 9099
EMAIL: pda.east@pda.com.au
www.pda.com.au
Also at: Launceston, Devonport, Hobart & Kingston

Owners	Jajan Patterson-Were	**Address**	945 Dolphin Sands Road Dolphin Sands TAS 7190	This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.
		Council	Glamorgan-Spring Bay Council	
		Planning Scheme	Glamorgan-Spring Bay Local Provisions	
Title References	FR 54666/148	**Zone & Overlay**	31.0 Particular Purpose GSB-P1.0 - Dolphin Sands	
Schedule Of Easements	Nil.			

Scale	1:2000	**Date**	10 August 2022	**PDA Reference**	50004HC-1	**Map reference**	5834	**PID**	5278431	**Point of Interest GDA2020 MGA55**	597725E, 5339720N



GES

GEO-ENVIRONMENTAL

SOLUTIONS

Proposed Subdivision

945 Dolphin Sands Rd, Dolphin Sands

Bushfire Hazard Report

Applicant: PDA Surveyors.

October 2022, J7741v1

Geo-Environmental Solutions - 29 Kirksway Place, Battery point, Tasmania, 7004.
Phone: 036223 1839 Email: Web: www.geosolutions.net.au

Contents

1.0 Introduction

This Bushfire Hazard Report has been completed to form part of supporting documentation for a planning permit application for a proposed subdivision. The proposed subdivision occurs in a Bushfire-prone Area defined by the Tasmanian Planning Scheme - Glamorgan-Spring Bay (the Scheme). This report has been prepared by Mark Van den Berg a qualified person under Part 4a of the *Fire Service Act 1979* of Geo Environmental Solutions Pty Ltd for PDA Surveyors.

The report considers all the relevant standards of Code C13 of the planning scheme, specifically;

- The requirements for appropriate Hazard Management Areas (HMA's) in relation to building areas;
- The requirements for Public and Private access;
- The provision of water supplies for firefighting purposes;
- Compliance with the planning scheme, and
- Provides a Bushfire Hazard Management Plan to facilitate appropriate compliant future development.

2.0 Proposal

It is proposed that a four-lot subdivision is developed on the site described as per the proposed plan of subdivision in appendix A. Public access to new lots will be provided by existing public roadways. The development is proposed to occur as a single stage. Lot 2 contains existing residential development; all other lots are undeveloped.

3.0 Site Description

The subject site is located at 945 Dolphin Sands Road, Dolphin Sands, CT: 54666/148 (figure 1). The site occurs in the municipality of Glamorgan-Spring Bay, this application is administered through the Tasmanian Planning Scheme Glamorgan-Spring Bay which makes provision for subdivision. The proposed development occurs within the Particular Purpose zone.

The site is located south-east of Yellow Sandbanks, approximately 1.7 km south-east of Woolshed Point (figure 1) and is dominated by Scrub vegetation. It is, for bushfire purposes effectively a flat site with no discernible aspect, surrounding lands comprise both developed and un-developed areas characterised by Scrub vegetation with sparse residential developments (figure 2).

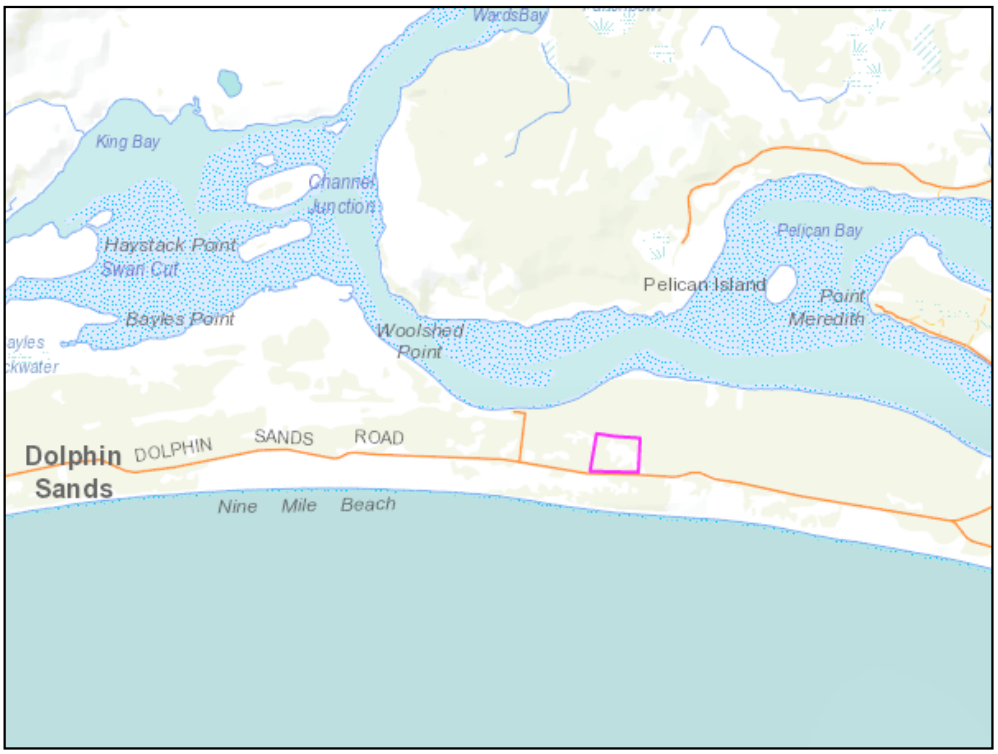


Figure 1. The site in a topographical context, pink line defines the title to be subdivided.

Figure 2. Aerial photo of the site, pink line defines the title to be subdivided.

4.0 Bushfire Hazard Assessment

4.1 Vegetation

The site and adjacent lands within 100 metres of the proposed building areas carry grassland with small areas of woodland vegetation fragmented by residential development and associated low threat vegetation (figures 3 to 5). The highest risk vegetation occurs to the north and north-west of the sites.

4.2 slopes

The effective slopes in relation to the proposed new lots are gentle (<5 degrees) and are unlikely to have a significant impact on fire behaviour.

Figure 3. Scrub vegetation within lot 2 looking south.

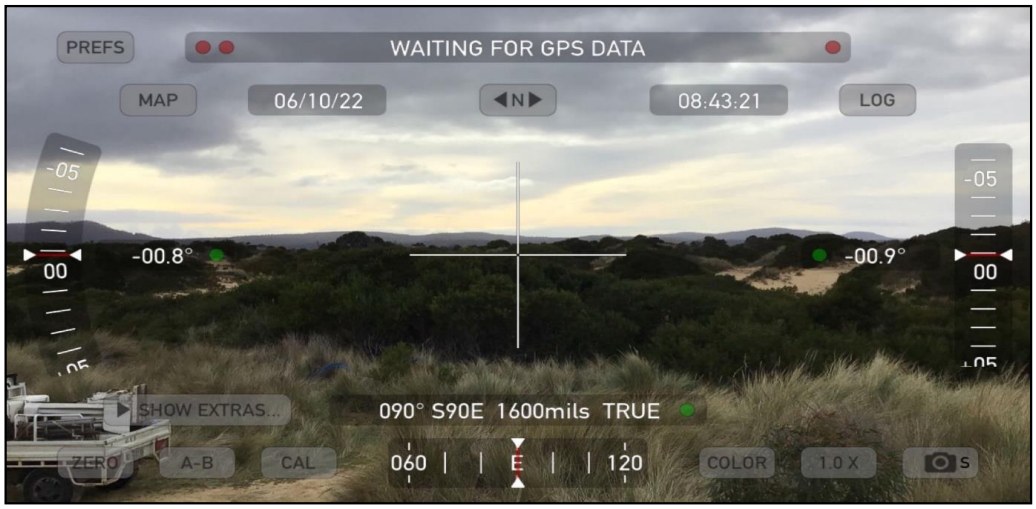


Figure 4. Scrub vegetation looking east within in proposed lot 2 and within lots 3 and 4 from the vicinity of existing development within lot 2.

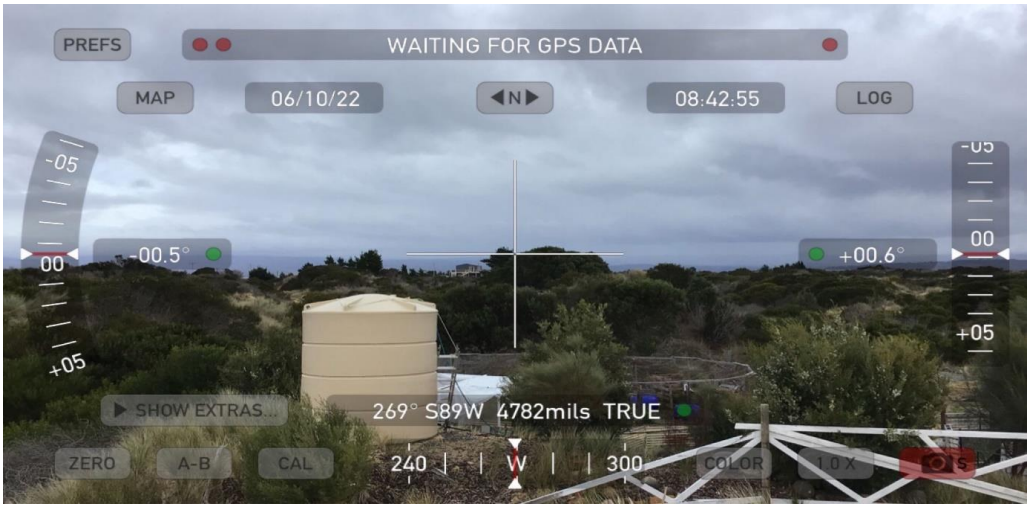


Figure 5. Scrub vegetation within proposed lot 2 looking west over lot 1.

4.3 Bushfire Attack Level

An assessment of vegetation and topography was undertaken within and adjacent to the subdivision area. A bushfire attack level assessment as per *AS3959-2018* was competed which has determined setbacks for each building area from bushfire-prone vegetation such that subsequent residential development does not exceed BAL-19 of AS3959-2018 (appendix B). The building area and bushfire attack level are identified on the BHMP.

5.0 Bushfire Prone Areas Code

Code C13 of the planning scheme articulates requirements for the provision of hazard management areas, standards for access and firefighting water supplies and requirements for hazard management for staged subdivisions. There is an existing dwelling within proposed lot 2, the building area for lot 2 includes the footprint of the existing dwelling.

5.1 Hazard Management Areas

Hazard management areas are required to be established for each lot, they provide an area around the building within which fuels are managed to reduce the impacts of direct flame contact, radiant heat and ember attack on the site.

The Bushfire Hazard Management Plan (BHMP) shows building areas (for habitable buildings) and the associated HMA's for each lot, guidance for establishment and maintenance of HMA's is provided below. HMAs are to be implemented for the specified distances from the future building within each lot.

The subdivision is to occur as a single stage. Each proposed lot can accommodate a hazard management area with sufficient separation from bushfire-prone vegetation not exceeding the requirements for BAL-19 of AS3959-2018. This means that each lot is not dependant on adjacent land use or management for bushfire mitigation. Lot 2, with the existing development will be required to establish the hazard management prior to the sealing of titles.

5.1.1 Building areas

Building areas for habitable buildings on each lot are shown on the BHMP. Each lot has been assessed and a Bushfire Attack Level (BAL) assigned to it. If future buildings are located within the building area and comply with the minimum setbacks for the hazard management area, the buildings may be constructed to the bushfire attack level assigned to that lot. If associated structures like sheds or other non-habitable buildings are proposed, they do not need to conform to a BAL unless they are within 6 metres of the habitable building.

5.1.2 Hazard Management Area requirements

A hazard management area is the area, between a habitable building or building area and the bushfire prone vegetation which provides access to a fire front for firefighting, is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire. This can be achieved through, but is not limited to the following strategies;

- Remove fallen limbs, sticks, leaf and bark litter;
- Maintain grass at less than a 100mm height;
- Avoid or minimise the use of flammable mulches (especially against buildings);
- Thin out under-story vegetation to provide horizontal separation between fuels;
- Prune low-hanging tree branches (<2m from the ground) to provide vertical separation between fuel layers;
- Remove or prune larger trees to establish and maintain horizontal separation between tree canopies;
- Minimise the storage of flammable materials such as firewood;
- Maintain vegetation clearance around vehicular access and water supply points;
- Use low-flammability plant species for landscaping purposes where possible;
- Clear out any accumulated leaf and other debris from roof gutters and other debris accumulation points.

It is not necessary to remove all vegetation from the hazard management area, trees and shrubs may provide protection from wind borne embers and radiant heat under some

circumstances if other fuels are appropriately managed. The hazard management area for proposed new lot 1 will need to be established prior to the sealing of titles.

5.2 Public and firefighting Access

5.2.1 Public Roads

There is no proposal for the construction of new public roadways, in this circumstance there are no applicable standards for the construction of new public roads.

5.2.2 Property access (for building compliance)

Property access will be required to be established to access static water supply connection points. There is existing property access for lot 2 which is sufficient to allow for the safe access and egress of firefighting personnel and the evacuation of occupants. New property access will comply with the following standards:

The following design and construction standards apply to property access:

- All-weather construction;
- Load capacity of at least 20 tonnes, including for bridges and culverts;
- Minimum carriageway width of 4 metres;
- Minimum vertical clearance of 4 metres;
- Minimum horizontal clearance of 0.5 metres from the edge of the carriageway;
- Cross falls of less than 3° (1:20 or 5%);
- Dips less than 7° (1:8 or 12.5%) entry and exit angle;
- Curves with a minimum inner radius of 10 metres;
- Maximum gradient of 15° (1:3.5 or 28%) for sealed roads, and 10° (1:5.5 or 18%) for unsealed roads; and
- Terminate with a turning area for fire appliances provided by one of the following:
    i. A turning circle with a minimum inner radius of 10 metres;
    ii. A property access encircling the building; or
    iii. A hammerhead “T” or “Y” turning head 4 metres wide and 8 metres long.
- Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.

5.3 Water supplies for firefighting (for building compliance)

The subdivision is not serviced by a reticulated water supply. In this circumstance, a static water supply dedicated for firefighting for each building area which is compliant with the specifications of table 1 is required. Existing development within Lot 2 will require the provision of a compliant water supply prior to the sealing of titles.

Table 1. Specifications for static water supplies for firefighting.

Element		Requirement
A	Distance between building area to be protected and water supply	The following requirements apply: (a) The building area to be protected must be located within 90 metres of the firefighting water point of a static water supply; and (b) The distance must be measured as a hose lay, between the firefighting water point and the furthest part of the building area.

Element		Requirement
B	Static Water Supplies	A static water supply: (a) May have a remotely located offtake connected to the static water supply; (b) May be a supply for combined use (firefighting and other uses) but the specified minimum quantity of firefighting water must be available at all times; (c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including firefighting sprinkler or spray systems; (d) Must be metal, concrete or lagged by non-combustible materials if above ground; and (e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959-2018, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by: (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6 mm thickness.
C	Fittings, pipework and accessories (including stands and tank supports)	Fittings and pipework associated with a fire fighting water point for a static water supply must: (a) Have a minimum nominal internal diameter of 50mm; (b) Be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) Be metal or lagged by non-combustible materials if above ground; (d) Where buried, have a minimum depth of 300mm (compliant with AS/NZS 3500.1-2003 Clause 5.23); (e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to firefighting equipment; (f) Ensure the coupling is accessible and available for connection at all times; (g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length); (h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and (i) Where a remote offtake is installed, ensure the offtake is in a position that is: (i) Visible; (ii) Accessible to allow connection by firefighting equipment, (iii) At a working height of 450 – 600mm above ground level; and (iv) Protected from possible damage, including damage by vehicles.
D	Signage for static water connections	Signage for static water connections The firefighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must: (a) comply with the water tank signage requirements within *Australian Standard AS2304-2011 Water storage tanks for fire protection systems*; or (b) comply with the Tasmania Fire Service Water Supply Guideline published by the Tasmania Fire Service
E	A hardstand area for fire appliances must be provided:	(a) no more than three metres from the firefighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (b) no closer than six metres from the building area to be protected; (c) a minimum width of three metres constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access.

6.0 Compliance

6.1 Planning Compliance

Table 3 summarises the compliance requirements for subdivisions in bushfire prone areas against Code C13 as they apply to this proposal. A planning certificate has been issued for the associated BHMP as being compliant with the relevant standards as outlined below and is located in appendix D.

Table 1. Compliance with Code C13 of the Tasmanian Planning Scheme – Glamorgan-Spring Bay.

Clause	Compliance
C13.4 Use or development exempt from this code	Not applicable.
C13.5 1 Vulnerable Uses	Not applicable.
C13.5.2 Hazardous Uses	Not applicable
C13.6.1 Subdivision: Provision of hazard management areas	The Bushfire Hazard Management Plan is certified by an accredited person. Each lot within the subdivision has a building area and associated hazard management area shown which is suitable for BAL-19 construction standards (as marked). Hazard management areas can be contained within each individual lot, therefore there is no requirement for part 5 agreements or easements to facilitate hazard management. The proposal is compliant with the acceptable solution at A1, (b).
C13.6.2 Subdivision: Public and firefighting access	The Bushfire Hazard Management Plan specifies minimum standards for property access consistent with the requirements of table C13.2. There is no proposal for new public Roadways or fire trails as part of this development. The Bushfire Hazard Management Plan is certified by an accredited person. The proposal is compliant with the acceptable solution at A1, (b).
C13.6.3 Subdivision: Provision of water supply for firefighting purposes	The Bushfire Hazard Management Plan requires static water supplies to be provided for all lots. The specifications for static water supplies are provided consistent with table C13.5. The proposal is compliant with the acceptable solution at A2, (b).

6.2 Building Compliance (for future development)

Future residential development may not require assessment for bushfire management requirements at the planning application stage. Subsequent building applications will require demonstrated compliance with the Directors Determination. If future development is undertaken in compliance with the Bushfire Hazard Management Plan associated with this report, a building surveyor may rely upon it for building compliance purposes if it is not more than 6 years old.

7.0 Summary

The proposed development occurs within a bushfire-prone area. The vegetation is classified as Scrub with the highest risk presented by vegetation to the north and north-west of the building areas.

A bushfire hazard management plan has been developed and shows hazard management areas with building areas and construction standards, the location of proposed property access and specifications for their construction and, requirements for the provision of firefighting water supplies.

If future development for an individual lot is proposed and is compliant with all the specifications of the bushfire hazard management plan, it may be relied upon for building compliance purposes. If subsequent development does not comply with all the specifications a new assessment will be required.

8.0 Limitations Statement

This Bushfire Hazard Report has been prepared in accordance with the scope of services between Geo-Environmental Solutions Pty. Ltd. (GES) and the applicant. To the best of GES's knowledge, the information presented herein represents the Client's requirements at the time of printing of the report. However, the passage of time, manifestation of latent conditions or impacts of future events may result in findings differing from that described in this report. In preparing this report, GES has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations referenced herein. Except as otherwise stated in this report, GES has not verified the accuracy or completeness of such data, surveys, analyses, designs, plans and other information.

The scope of this study does not allow for the review of every possible bushfire hazard condition and does not provide a guarantee that no loss of property or life will occur as a result of bushfire. As stated in AS3959-2018 “It should be borne in mind that the measures contained in this Standard cannot guarantee that a building will survive a bushfire event on every occasion. This is substantially due to the degree of vegetation management, the unpredictable nature and behaviour of fire, and extreme weather conditions”. In addition, no responsibility is taken for any loss which is a result of actions contrary to AS3959-2018 or the Tasmanian Planning Commission Bushfire code.

This report does not purport to provide legal advice. Readers of the report should engage professional legal practitioners for this purpose as required. No responsibility is accepted for use of any part of this report in any other context or for any other purpose by third party

8.0 References

Building Amendment (Bushfire-Prone Areas) Regulations 2014

Determination, Director of Building Control – Requirements for Building in Bushfire-Prone Areas, version 2.2 6h February 2020. Consumer, Building and Occupational Services, Department of Justice, Tasmania.

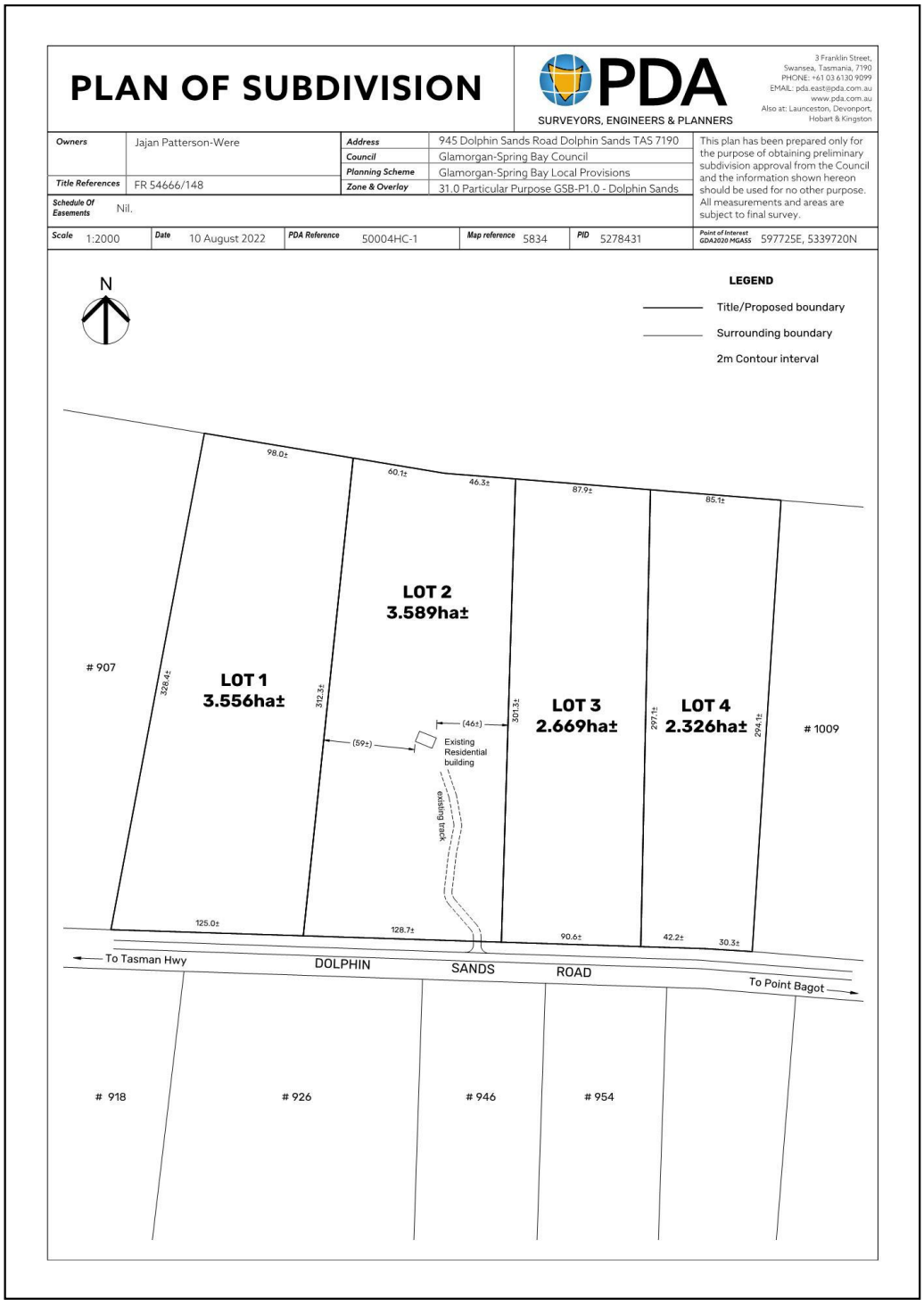
Standards Australia 2018, *Construction of buildings in bushfire prone areas,* Standards Australia, Sydney.

Tasmanian Planning Commission 2017, *Planning Directive No.5.1 – Bushfire prone Areas Code*. Tasmanian Planning Commission, Hobart. 1st September 2017.

The Bushfire Planning Group 2005, *Guidelines for development in bushfire prone areas of Tasmania – Living with fire in Tasmania,* Tasmania Fire Service, Hobart.

Tasmanian Planning Scheme - Glamorgan-Spring Bay.

Appendix A - Site Plan



Bushfire Hazard Report - 945 Dolphin Sands Rd, Dolphin Sands, October 2022, J7741v1.

Appendix B – Bushfire Attack Level assessment tables

Table 1. Bushfire Attack Level Assessment New Lots 1, 2, 3 & 4.

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-prone vegetation	Hazard management area width	Bushfire Attack Level
North	Scrub^	>0 to 5º downslope	0 to >100 metres	22 metres	**BAL-19**
	--	--	--		
	--	--	--		
	--	--	--		
East	Scrub^	>0 to 5º downslope	0 to >100 metres	22 metres	**BAL-19**
	--	--	--		
	--	--	--		
	--	--	--		
South	Scrub^	>0 to 5º downslope	0 to >100 metres	22 metres	**BAL-19**
	--	--	--		
	--	--	--		
	--	--	--		
West	Scrub^	>0 to 5º downslope	0 to >100 metres	22 metres	**BAL-19**
	--	--	--		
	--	--	--		
	--	--	--		

^ Vegetation classification as per AS3959-2018 and Figures 2.6(A) to 2.6 (H).
* Low threat vegetation as per Bushfire Prone Areas Advisory Note (BHAN) No.1-2014, version 3, 8/11/2017.
^^ Exclusions as per AS3959-2018, section 2.2.3.2, (a) to (f).

Bushfire Hazard Report - 945 Dolphin Sands Rd, Dolphin Sands, October 2022, J7741v1.

Appendix C

Bushfire Hazard Management Plan

Bushfire Hazard Report - 945 Dolphin Sands Rd, Dolphin Sands, October 2022, J7741v1.

BUSHFIRE HAZARD MANAGEMENT PLAN

Bushfire Hazard Management Plan, 945 Dolphin Sands Road, Dolphin Sands. October 2022 J7741v1.0 Tasmanian Planning Scheme Glamorgan-Spring Bay

GES
GEO-ENVIRONMENTAL SOLUTIONS
29 Kirksway Place, Battery Point.
T| 62231839 E| office@geosolutions.net.au

Compliance Requirements

Property Access

Property access length is 30 metres or greater; and access is required for a fire appliance to connect to a firefighting water point.
The following design and construction requirements apply to property access:
(a) All-weather construction;
(b) Load capacity of at least 20 tonnes, including for bridges and culverts;
(c) Minimum carriageway width of 4 metres;
(d) Minimum vertical clearance of 4 metres;
(e) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway;
(f) Cross falls of less than 3° (1:20 or 5%);
(g) Dips less than 7° (1:8 or 12.5%) entry and exit angle;
(h) Curves with a minimum inner radius of 10 metres;
(i) Maximum gradient of 15° (1:3.5 or 28%) for sealed roads, and 10° (1:5.5 or 18%) for unsealed roads; and
(j) Terminate with a turning area for fire appliances provided by one of the following:
(i) A turning circle with a minimum outer radius of 10 metres;
(ii) A property access encircling the building; or
(iii) A hammerhead "T" or "Y" turning head 4 metres wide and 8 metres long
(k) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.

Water Supplies for Firefighting

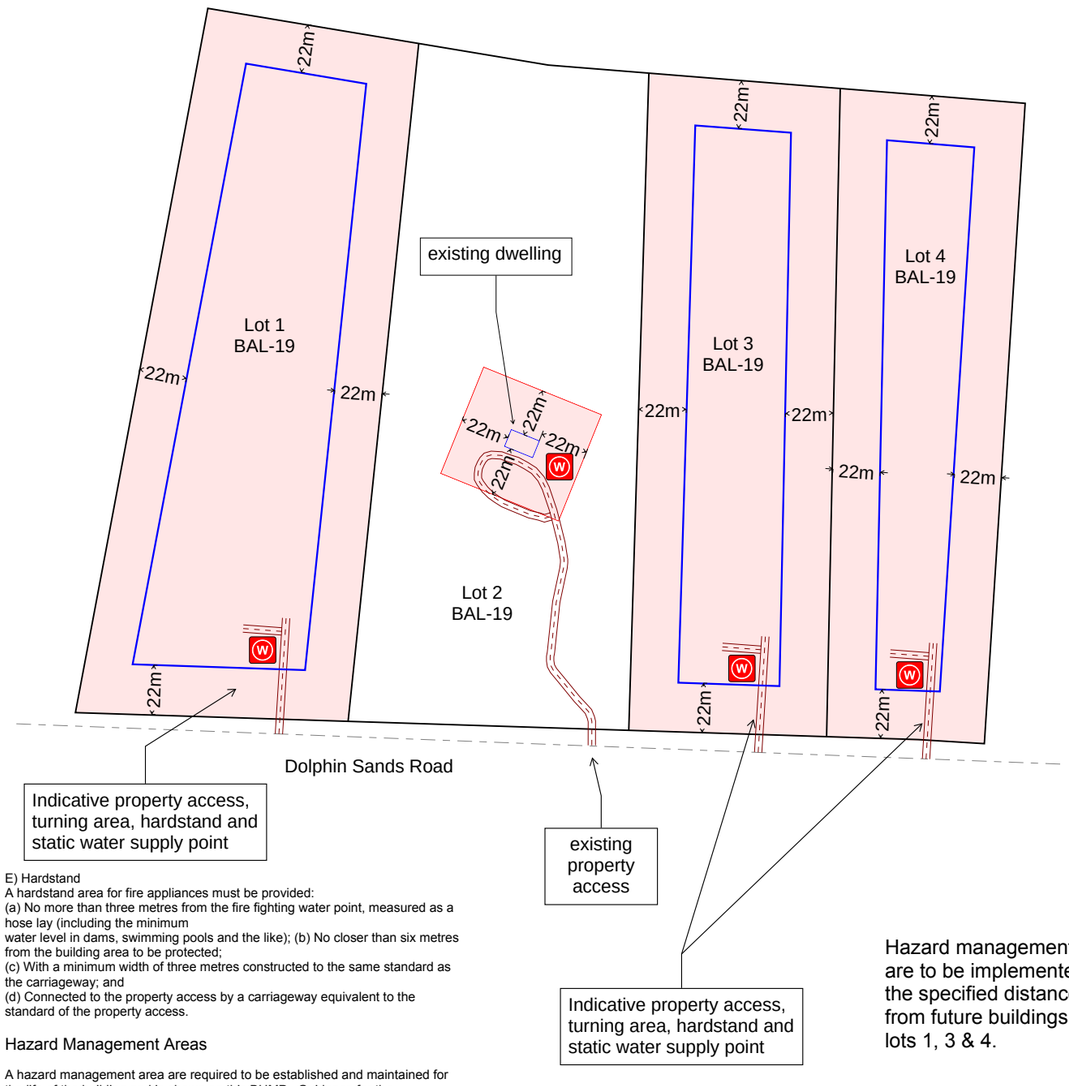
The site is not serviced by a reticulated water supply, therefore a dedicated, static firefighting water supply will be provided in accordance with the following;

A) Distance between building area to be protected and water supply
The following requirements apply:
(a) The building area to be protected must be located within 90 metres of the fire fighting water point of a static water supply; and
(b) The distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.

B) Static Water Supplies
A static water supply:
(a) May have a remotely located offtake connected to the static water supply;
(b) May be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times;
(c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems;
(d) Must be metal, concrete or lagged by non-combustible materials if above ground; and
(e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959-2009, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by:
(i) metal;
(ii) non-combustible material; or
(iii) fibre-cement a minimum of 6 mm thickness.

C) Fittings and pipework associated with a fire fighting water point for a static water supply must:
(a) Have a minimum nominal internal diameter of 50mm; (2) Be fitted with a valve with a minimum nominal internal diameter of 50mm;
(b) Be fitted with a valve with a minimum nominal internal diameter of 50mm;
(c) Be metal or lagged by non-combustible materials if above ground;
(d) Where buried, have a minimum depth of 300mm (compliant with AS/NZS 3500.1-2003 Clause 5.23);
(e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment;
(f) Ensure the coupling is accessible and available for connection at all times;
(g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length);
(h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and
(i) Where a remote offtake is installed, ensure the offtake is in a position that is:
(i) Visible;
(ii) Accessible to allow connection by fire fighting equipment,
(iii) At a working height of 450 – 600mm above ground level; and
(iv) Protected from possible damage, including damage by vehicles.

D) Signage for static water connections
The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service



E) Hardstand
A hardstand area for fire appliances must be provided:
(a) No more than three metres from the fire fighting water point, measured as a hose lay (including the minimum
water level in dams, swimming pools and the like); (b) No closer than six metres from the building area to be protected;
(c) With a minimum width of three metres constructed to the same standard as the carriageway; and
(d) Connected to the property access by a carriageway equivalent to the standard of the property access.

Hazard Management Areas

A hazard management area are required to be established and maintained for the life of the building and is shown on this BHMP. Guidance for the establishment and maintenance of the hazard management area is also provided.

Hazard management areas are to be implemented for the specified distances from future buildings on lots 1, 3 & 4.

Building Area

Indicative Static Water Supply Point

Indicative Hazard Management Area

Note: the requirements of sections 5.1 & 5.3 of the Bushfire Hazard Report are required to be implemented for lot 2 prior to the sealing of titles.

Hazard Management Area
A hazard management area is the area, between a habitable building or building area and the bushfire prone vegetation, which provides access to a fire front for firefighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire. This can be achieved through, but is not limited to the following actions;

- Remove fallen limbs, sticks, leaf and bark litter;
- Maintain grass at less than a 100mm height;
- Remove pine bark and other flammable mulch (especially from against buildings);
- Thin out under-story vegetation to provide horizontal separation between fuels;
- Prune low-hanging tree branches (<2m from the ground) to provide (vertical separation between fuel layers;
- Prune larger trees to maintain horizontal separation between canopies;
- Minimise the storage of flammable materials such as firewood;
- Maintain vegetation clearance around vehicular access and water supply points;
- Use low-flammability species for landscaping purposes where appropriate;
- Clear out any accumulated leaf and other debris from roof gutters and other accumulation points.

It is not necessary to remove all vegetation from the hazard management area, trees may provide protection from wind borne embers and radiant heat under some circumstances.

Certification No. J7741

Mark Van den Berg
Acc. No. BFP-108
Scope 1, 2, 3A, 3B, 3C.

Do not scale from these drawings. Dimensions to take precedence over scale.	J. Patterson-Were 945 Dolphin Sands Road Dolphin Sands, Tas 7190	C.T.: 54666/148 PID: 5278431	Date: 7/06/2022	Bushfire Hazard Management Plan 945 Dolphin Sands Road, Dolphin Sands. October 2022 J7741v1.0 Bushfire Management Report 945 Dolphin Sands Road, Dolphin Sands. October 2022 J7741v1.0	Drawing Number: A01	Sheet 1 of 1 Prepared by: MvdB

Appendix D

Planning Certificate

BUSHFIRE-PRONE AREAS CODE

CERTIFICATE[1] UNDER S51(2)(d) *LAND USE PLANNING AND APPROVALS ACT 1993*

1. Land to which certificate applies

The subject site includes property that is proposed for use and development and includes all properties upon which works are proposed for bushfire protection purposes.

Street address:	945 Dolphin Sands Rd, Dolphin Sands, TAS, 7190
Certificate of Title / PID:	54666/148

2. Proposed Use or Development

Description of proposed Use and Development:	Subdivision of land resulting in four lots
Applicable Planning Scheme:	Tasmanian Planning Scheme - Glamorgan-Spring Bay

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Plan of Subdivision	PDA surveyors	10/08/2022	50004HC-1
Bushfire Hazard Report 945 Dolphin Sands Road, Dolphin Sands. October 2022 J7741v1.0	Mark Van den Berg	24/10/2022	1
Bushfire Hazard Management Plan 945 Dolphin Sands Road, Dolphin Sands. October 2022 J7741v1.0	Mark Van den Berg	24/10/2022	1

[1] This document is the approved form of certification for this purpose and must not be altered from its original form.

4. Nature of Certificate

The following requirements are applicable to the proposed use and development:

☐	**E1.4 / C13.4 – Use or development exempt from this Code**	
	Compliance test	**Compliance Requirement**
☐	E1.4(a) / C13.4.1(a)	Insufficient increase in risk

☐	**E1.5.1 / C13.5.1 – Vulnerable Uses**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.5.1 P1 / C13.5.1 P1	***Planning authority discretion required. A proposal cannot be certified as compliant with P1.***
☐	E1.5.1 A2 / C13.5.1 A2	Emergency management strategy
☐	E1.5.1 A3 / C13.5.1 A2	Bushfire hazard management plan

☐	**E1.5.2 / C13.5.2 – Hazardous Uses**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.5.2 P1 / C13.5.2 P1	***Planning authority discretion required. A proposal cannot be certified as compliant with P1.***
☐	E1.5.2 A2 / C13.5.2 A2	Emergency management strategy
☐	E1.5.2 A3 / C13.5.2 A3	Bushfire hazard management plan

☒	**E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.6.1 P1 / C13.6.1 P1	***Planning authority discretion required. A proposal cannot be certified as compliant with P1.***
☐	E1.6.1 A1 (a) / C13.6.1 A1(a)	Insufficient increase in risk
☒	E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 for all lots (including any lot designated as 'balance'.
☐	E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement

☒	**E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.6.2 P1 / C13.6.2 P1	***Planning authority discretion required. A proposal cannot be certified as compliant with P1.***
☐	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk
☒	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables

☒	**E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.6.3 A1 (a) / C13.6.3 A1 (a)	Insufficient increase in risk
☐	E1.6.3 A1 (b) / C13.6.3 A1 (b)	Reticulated water supply complies with relevant Table
☐	E1.6.3 A1 (c) / C13.6.3 A1 (c)	Water supply consistent with the objective
☐	E1.6.3 A2 (a) / C13.6.3 A2 (a)	Insufficient increase in risk
☒	E1.6.3 A2 (b) / C13.6.3 A2 (b)	Static water supply complies with relevant Table
☐	E1.6.3 A2 (c) / C13.6.3 A2 (c)	Static water supply consistent with the objective

5. Bushfire Hazard Practitioner

Name:	Mark Van den Berg	**Phone No:**	03 62231839
Postal Address:	29 Kirksway Place Battery Point Tas. 7004	**Email Address:**	mvandenberg@geosolutions.net.au
Accreditation No:	BFP – 108	**Scope:**	1, 2, 3a, 3b & 3c

6. Certification

I certify that in accordance with the authority given under Part 4A of the *Fire Service Act 1979* that the proposed use and development:

☐ Is exempt from the requirement Bushfire-Prone Areas Code because, having regard to the objective of all applicable standards in the Code, there is considered to be an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures, or

☒ The Bushfire Hazard Management Plan/s identified in Section 3 of this certificate is/are in accordance with the Chief Officer's requirements and compliant with the relevant **Acceptable Solutions** identified in Section 4 of this Certificate.

Signed: *certifier*

Name: Mark Van den Berg **Date:** 24/10/2022

Certificate Number: J7741

(for Practitioner Use only)

Appendix E

Certificate of Others

CERTIFICATE OF QUALIFIED PERSON – ASSESSABLE ITEM

Section 321

Form **55**

To: J. Patterson-Were *Owner /Agent*

945 Dolphin Sands Road *Address*

Dolphin Sands, TAS 7190 *Suburb/postcode*

Qualified person details:

Qualified person: Mark Van den Berg

Address: 29 Kirksway Place

Battery Point TAS 7004

Phone No: 03 6223 1839

Fax No:

Licence No: BFP-108

Email address: mvandenberg@geosolutions.net.au

Qualifications and Insurance details: Accredited to report on bushfire hazards under Part IVA of the Fire Service Act.
BFP-108 scope 1, 2, 3a, 3b, 3c.
Sterling Insurance PI policy No. 17080170

(description from Column 3 of the Director's Determination - Certificates by Qualified Persons for Assessable Items

Speciality area of expertise: Analysis of bushfire hazards in bushfire prone areas

(description from Column 4 of the Director's Determination - Certificates by Qualified Persons for Assessable Items)

Details of work:

Address: 945 Dolphin Sands Road

Dolphin Sands, TAS. 7190

Lot No: 1 - 4

Certificate of title No: TBA

The assessable item related to this certificate: New building work in a bushfire prone area.

(description of the assessable item being certified)
Assessable item includes –
- *a material;*
- *a design*
- *a form of construction*
- *a document*
- *testing of a component, building system or plumbing system*
- *an inspection, or assessment, performed*

Certificate details:

Certificate type: Bushfire Hazard

(description from Column 1 of Schedule 1 of the Director's Determination - Certificates by Qualified Persons for Assessable Items n)

This certificate is in relation to the above assessable item, at any stage, as part of - *(tick one)*

building work, plumbing work or plumbing installation or demolition work: **X**

or

a building, temporary structure or plumbing installation: ☐

In issuing this certificate the following matters are relevant –

Documents:	Bushfire Hazard Report 945 Dolphin Sands Road, Dolphin Sands. October 2022 J7741v1.0 Bushfire Hazard Management Plan 945 Dolphin Sands Road, Dolphin Sands. October 2022 J7741v1.0 and Form 55.
Relevant calculations:	N/A
References:	Determination, Director of Building Control Requirements for Building in Bushfire-Prone Areas, version 2.2 6th February 2020. Consumer, Building and Occupational Services, Department of Justice, Tasmania. Building Amendment (Bushfire-Prone Areas) Regulations 2014. Standards Australia 2018, Construction of buildings in bushfire prone areas, Standards Australia, Sydney.

Substance of Certificate: (what it is that is being certified)

The Bushfire Attack Level is marked on the Bushfire Hazard management plan for each lot. All specifications of report and BHMP required for compliance.

Scope and/or Limitations

Scope: This report was commissioned to identify the Bushfire Attack Level for the existing property. Limitations: The inspection has been undertaken and report provided on the understanding that;-1. The report only deals with the potential bushfire risk all other statutory assessments are outside the scope of this report. 2. The report only identifies the size, volume and status of vegetation at the time the site inspection was undertaken. 3. Impacts of future development and vegetation growth have not been considered.

I certify the matters described in this certificate.

Signed:	*Certificate No:*	*Date:*
Qualified person: 	J7741	24/10/2022

Environmental **C**onsulting **O**ptions **Tas**mania

NATURAL VALUES ASSESSMENT OF 945 DOLPHIN SANDS ROAD (PID 5278432; C.T. 54666/148; LPI 1601190), DOLPHIN SANDS, TASMANIA

Environmental Consulting Options Tasmania (ECO*tas*) for Jahan Patterson-Were

26 October 2022

Mark Wapstra ***ABN 83 464 107 291***

28 Suncrest Avenue *email: mark@ecotas.com.au* *phone: (03) 62 283 220*

Lenah Valley, TAS 7008 *web: www.ecotas.com.au* *mobile: 0407 008 685*

ECO*tas*...providing options in environmental consulting

CITATION

This report can be cited as:

ECO*tas* (2022). *Natural Values Assessment of 945 Dolphin Sands Road (PID 5278431; C.T. 54666/148; LPI 1601190), Dolphin Sands, Tasmania.* Report by Environmental Consulting Options Tasmania (ECO*tas*) for Jahan Patterson-Were, 26 October 2022.

AUTHORSHIP

Field assessment: Mark Wapstra

Report production: Mark Wapstra

Habitat and vegetation mapping: Mark Wapstra

Base data for mapping: LISTmap, PDA

Digital and aerial photography: Mark Wapstra, GoogleEarth, LISTmap

ACKNOWLEDGEMENTS

Jahan Patterson-Were (owner) and Jane Monks (PDA) provided background information on the proposed land use.

QUALIFICATIONS

Except where otherwise stated, the opinions and interpretations of legislation and policy expressed in this report are made by the author and do not necessarily reflect those of the relevant agency. The client should confirm management prescriptions with the relevant agency before acting on the content of this report. This report and associated documents do not constitute legal advice.

Note that any reference to the Department of Primary Industries, Parks, Water & Environment (DPIPWE) now refers to the Department of Natural Resources and Environment Tasmania.

COVER ILLUSTRATION

View from north across coast wattle scrub and marram grass-covered dunes looking towards existing house with The Hazards in the background.

Please note: the blank pages in this document are deliberate to facilitate double-sided printing.

CONTENTS

SUMMARY

General

Jahan Patterson-Were (owner) engaged Environmental Consulting Options Tasmania (ECO*tas*) to undertake a natural values assessment of 945 Dolphin Sands Road (PID 5278431; C.T. 54666/148; LPI 1601190), Dolphin Sands, Tasmania, primarily to ensure that the requirements of the identified natural values are appropriately considered during any further project planning under local, State and Commonwealth government approval protocols.

Site assessment

A natural values assessment of the study area was undertaken by Mark Wapstra (ECO*tas*) on 12 Oct. 2022.

Summary of key findings

Threatened flora

- No plant species listed as threatened on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) and/or the Tasmanian *Threatened Species Protection Act 1995* (TSPA) were detected, or are known from database information, from the study area.

Threatened fauna

- No fauna species listed as threatened on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) and/or the Tasmanian *Threatened Species Protection Act 1995* (TSPA) were detected, or are known from database information, from the study area.
- The study area does meet the intent of "significant habitat for a threatened fauna species", at any reasonable scale or interpretation of the concept, pursuant to the Natural Assets Code of the *Tasmanian Planning Scheme – Glamorgan-Spring Bay*.

Vegetation types

- The study area supports the following TASVEG mapping units:
  - *Acacia longifolia* coastal scrub (TASVEG code: SAL);
  - coastal scrub (TASVEG code: SSC); and
  - urban areas (TASVEG code: FUR).
- SAL & SSC do not equate to native vegetation communities listed as threatened on Schedule 3A of the Tasmanian *Nature Conservation Act 2002* or to threatened ecological communities listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.
- The vegetation does not meet the intent of "priority vegetation" pursuant to the Natural Assets Code of the *Tasmanian Planning Scheme – Glamorgan-Spring Bay*.

Weeds

- One plant species classified as a declared weed within the meaning of the Tasmanian *Weed Management Act 1999* (*Biosecurity Act 2019*) was detected from the study area, as follows:
  - *Ulex europaeus* (gorse): one small patch.

Plant disease

- No evidence of *Phytophthora cinnamomi* (PC, rootrot) was observed in susceptible species within the study area.
- No evidence of myrtle wilt was recorded from within the study area.
- No evidence of myrtle rust was recorded from within the study area.

Animal disease (chytrid)

- The study area does not support particular habitats conducive to frog chytrid disease.

Recommendations

The recommendations provided below are a summary of those provided in relation to each of the natural values described in the main report. The main text of the report provides the relevant context for the recommendations.

Vegetation types

In general terms, minimising the extent of "clearance and conversion" and/or "disturbance" to native vegetation is recommended.

Threatened flora

None present, such that species management is not required.

Threatened fauna

Apart from the generic recommendation to minimise the extent of "clearance and conversion" and/or "disturbance" to native vegetation, specific management in relation to threatened fauna is not recommended.

Weed and disease management

It is recommended that the small patch of gorse be treated as soon as possible by cutting and pasting (or spraying) with herbicide to minimise the risk of spread. It is noted, however, that the risk of spread is currently low because of the dense coast wattle/marram grass surrounding the patch, the risk of spread only becoming higher after an event such as fire that may activate long-lived soil-stored seed.

Longer-term special management (e.g. a complex weed management plan) is not considered warranted because owner occupation is considered the most appropriate (and realistic) means of achieving control of any declared species (should they become established), where vigilance and immediate control are practical.

Legislative and policy implications

There are no formal requirements for a permit under Section 51 of the Tasmanian *Threatened Species Protection Act 1995* (TSPA).

A formal referral to the relevant Commonwealth agency under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) is not considered required.

Subdivision and subsequent development will require a planning permit pursuant to the provisions of the *Tasmanian Planning Scheme – Glamorgan Spring Bay*. In my opinion, the proposed development meets the intent of P1.1 & P1.2 of C7.7.2 (and any future development will meet the intent of P1.1 & P1.2 of C7.6.2) of the Natural Assets Code, without the need for specific permit conditions in relation to natural values.

INTRODUCTION

Purpose

Jahan Patterson-Were (owner) engaged Environmental Consulting Options Tasmania (ECO*tas*) to undertake a natural values assessment of 945 Dolphin Sands Road (PID 5278431; C.T. 54666/148; LPI 1601190), Dolphin Sands, Tasmania, primarily to ensure that the requirements of the identified natural values are appropriately considered during any further project planning under local, State and Commonwealth government approval protocols.

Scope

This report relates to:

- flora and fauna species of conservation significance, including a discussion of listed threatened species (under the Tasmanian *Threatened Species Protection Act 1995* and/or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*) potentially present, and other species of conservation significance/interest;
- vegetation types (forest and non-forest, native and exotic) present, including a discussion of the distribution, condition, extent, composition and conservation significance of each community;
- plant and animal disease management issues;
- weed management issues; and
- a discussion of some of the policy and legislative implications of the identified natural values.

This report follows the government-produced *Guidelines for Natural Values Surveys – Terrestrial Development Proposals* (DPIPWE 2015) in anticipation that the report (or extracts of it) may be required as part of various approval processes.

The report format should also be applicable to other assessment protocols as required by the relevant Commonwealth agency (for any referral/approval that may be required under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*), which is unlikely to be required in this case.

More specifically, this assessment and report have been prepared to address specific provisions of the *Tasmanian Planning Scheme – Glamorgan Spring*, with particular reference to the natural values/biodiversity provisions of the Natural Assets Code.

Limitations

The natural values assessment was undertaken on 12 Oct. 2022. Many plant species have ephemeral or seasonal growth or flowering habits, or patchy distributions (at varying scales), and it is possible that some species were not recorded for this reason. However, every effort was made to sample the range of habitats present in the survey area to maximise the opportunity of recording most species present (particularly those of conservation significance). Late spring and into summer is usually regarded as the most suitable period to undertake most botanical assessments. While some species have more restricted flowering periods, a discussion of the potential for the site to support these is presented. In this case, I believe that the survey was appropriately timed to detect

the species with a highest priority for conservation management in this part of the State, with particular reference to two target species viz. *Pterostylis ziegeleri* (grassland greenhood) and *Stenopetalum lineare* (narrow threadpetal), both of which were in full flower at nearby sites on the day of assessment.

The survey was also limited to vascular species: species of mosses, lichens and liverworts were not recorded. However, a consideration is made of threatened species (vascular and non-vascular) likely to be present (based on habitat information and database records) and reasons presented for their apparent absence.

Surveys for threatened fauna were largely limited to an examination of "potential habitat" (i.e. comparison of on-site habitat features to habitat descriptions for threatened fauna), and detection of tracks, scats and other signs.

Permit

Any plant material was collected under DNRET permit TFL 22382 (in the name of Mark Wapstra). Relevant data will be entered into DNRET's *Natural Values Atlas* database by the author. Some plant material may be lodged at the Tasmanian Herbarium by the author.

No vertebrate or invertebrate material was collected. A permit is not required to undertake the type of habitat-level assessment described herein.

LAND USE PROPOSAL

The land use proposal is for a 4-lot residential subdivision (Figure 4): while the draft design was available at time of survey, the whole title was considered, including the verge of Dolphin Sands Road with respect to future access points, such that minor changes to the design will not require a new natural values assessment.

STUDY AREA

Overview

The study area (Figures 1-3) comprises the subject title of 945 Dolphin Sands Road, Dolphin Sands, with the following details:

- PID 5278431;
- C.T. 54666/148;
- LPI 1601190.

The title is ca. 121,406 m^2 (i.e. ca. 12.14 ha) in extent (measured area as per LISTmap).

Land tenure and other categorisations relevant to natural values management of the study area are as follows:

- Glamorgan Spring Bay municipality, zoned as Particular Purpose – Dolphin Sands pursuant to the *Tasmanian Planning Scheme – Glamorgan Spring Bay* (Figure 5), and wholly subject to the Priority Vegetation Area overlay (Figure 6);

- South East bioregion, according to the IBRA 7 bioregions used by most government agencies); and
- NRM South Natural Resource Management (NRM) region.

The title is bound to the south by Dolphin Sands Road, across which there are private titles, and to the west, north and east by private titles (Figure 7). The title is within the catchment of the Moulting Lagoon Ramsar (Wetland of International Significance) site (Figure 8).

The title is currently informally occupied (Plates 1-4), accessed by a well-formed gravel drive (Plates 5 & 6) from Dolphin Sands Road (Plates 7-10).

Plates 1-4. Area currently occupied within the title

Plates 5 & 6. Well-formed existing gravel drive

Plates 7 & 8. Verge of Dolphin Sands Road outside title: far western end
(LHS – looking east; RHS – looking west)

Plate 9. (LHS) Verge of Dolphin Sands Road outside title: near existing entrance – looking east

Plate 10. (RHS) Verge of Dolphin Sands Road outside title: far eastern end – looking west

Most of the boundaries are unfenced but part of the northern boundary has a low quality post-and-wire fence present (Plates 11 & 12).

Plates 11 & 12. Old post-and-wire fence along eastern portion of northern boundary

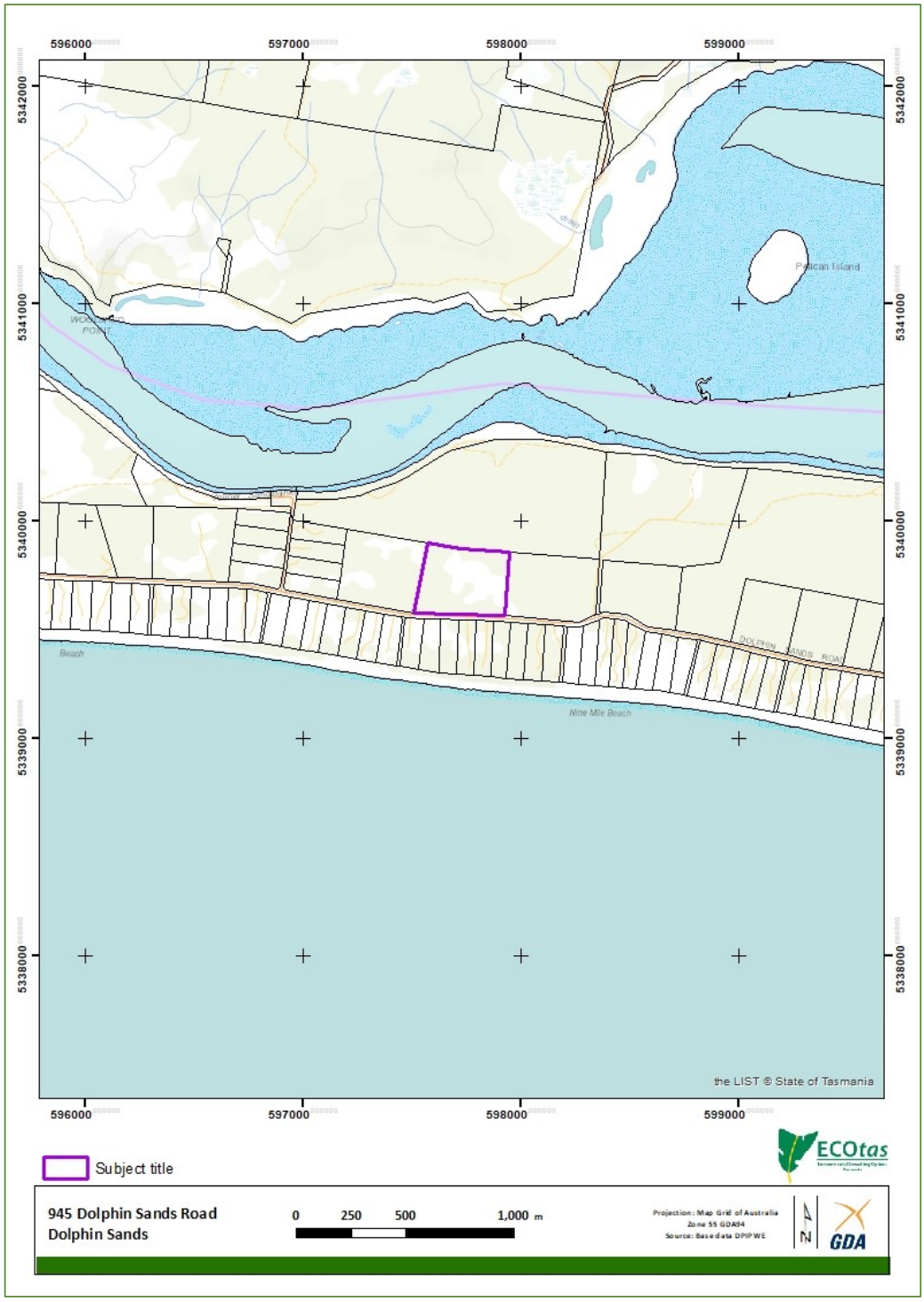


Figure 1. General location of the study area

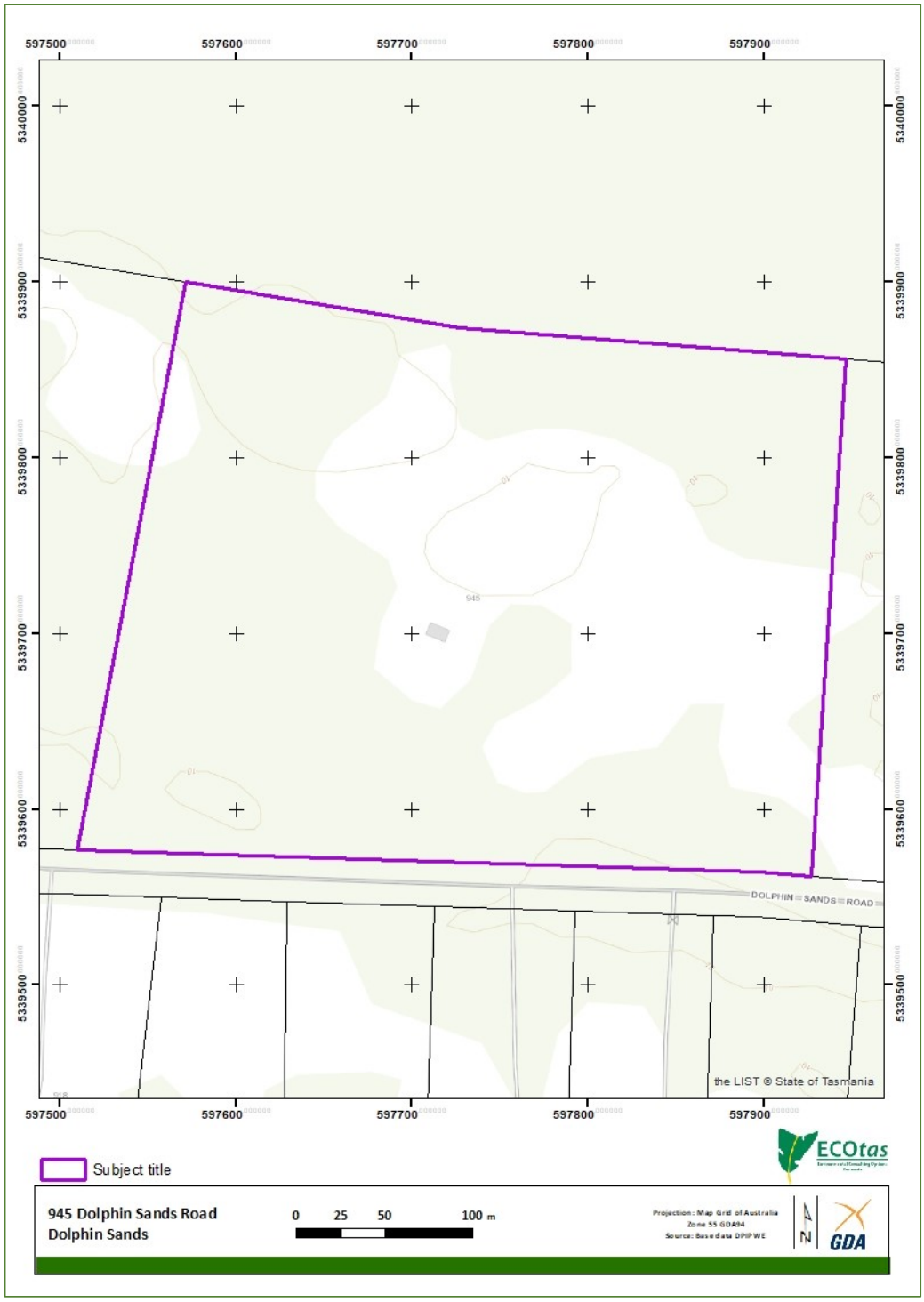


Figure 2. Detailed location of the study area showing general topographic and cadastral features

Figure 3. Detailed location of the study area showing recent aerial imagery and cadastral boundaries

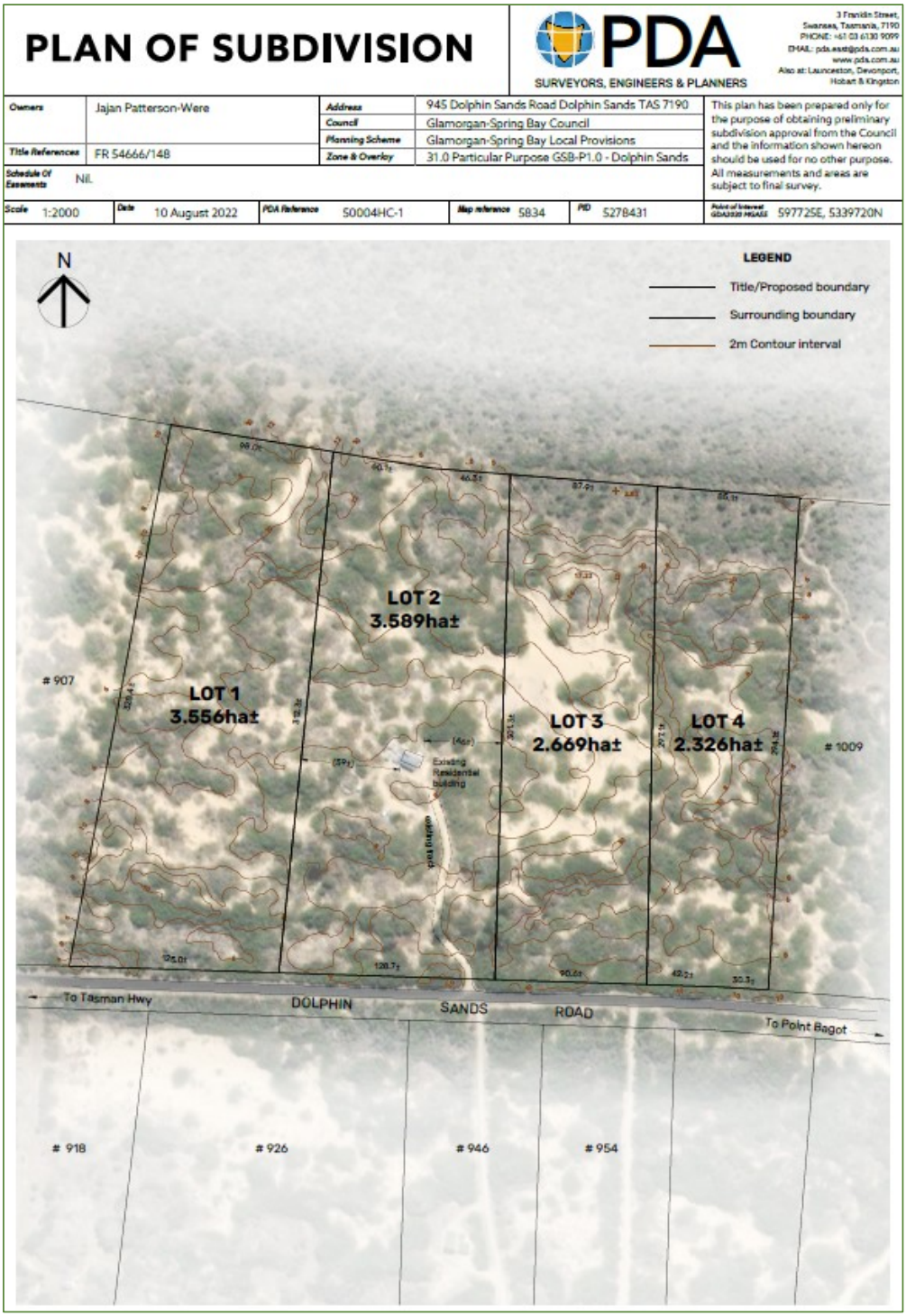


Figure 4. Proposed land use [source: PDA]

Figure 5. Zoning of subject title and surrounds pursuant to the *Tasmanian Planning Scheme – Glamorgan Spring Bay*

Figure 6. Extent of Priority Vegetation Area overlay within and adjacent to the title pursuant to the pursuant to the *Tasmanian Planning Scheme – Glamorgan Spring Bay*

Figure 7. Adjacent land tenure showing informal reserves (pink) and formal reserves (named in green)

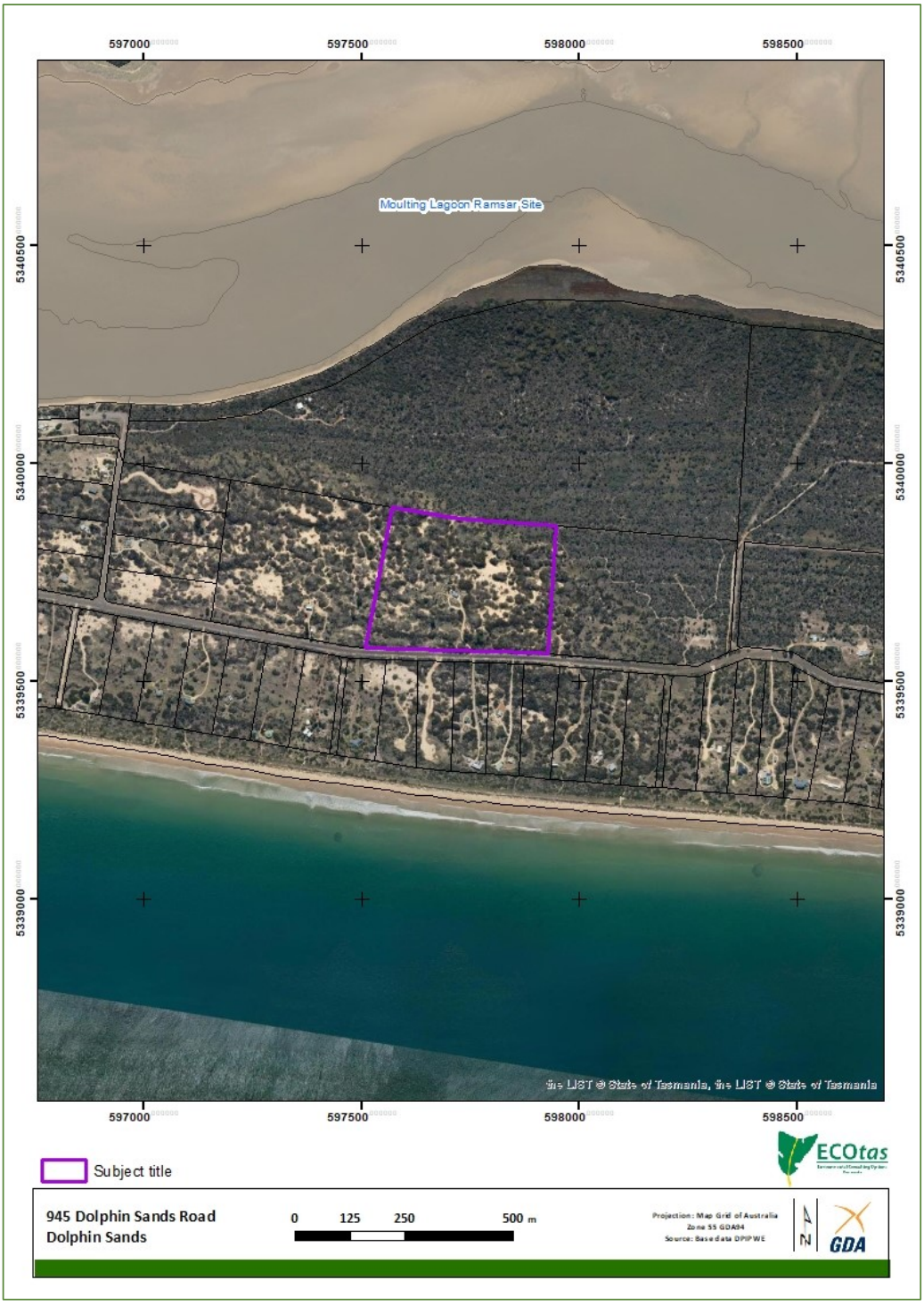


Figure 8. Location of Moulting Lagoon Ramsar site

Other site features

Most of the title supports native vegetation that is a mosaic of coast wattle scrub, marram grass and sandy openings (Plates 13-16) with a small area of more diverse coastal scrub in the northeast of the study area (Plates 17 & 18). While older topographic maps (e.g. Figure 2) show green and white areas, the white areas only very loosely coincide with what are now natural sandy openings, indicating that any such openings shift geographically and temporally.

Plates 13-16. Examples of mosaic of coast wattle scrub, marram grass and sandy openings

Plates 17 & 18. More diverse coastal scrub in northeast of study area

Topographically, the title is a series of low to moderately gentle to slightly steeper shifting dunes with variable aspects developed at ca. 5-10 m a.s.l. There are no marked drainage features on topographic maps and none observed on site assessment.

LISTmap's Fire History layer does not indicate any recorded fire events (Figure 9), and this is confirmed by site assessment with no obvious evidence of major fire events, although some of the scrub in the far north may have been subject to a low intensity fire (Plates 19 & 20).

Plates 19 & 20. Examples of lightly burnt scrub in north of study area

The geology of the title is wholly mapped (Figure 10) as Quaternary-age "sand, gravel and mud of alluvial, lacustrine and littoral origin" (geocode: Qh). The geology is mentioned because of its strong influence on vegetation classification, association with threatened flora, and to a lesser extent, threatened fauna. Site assessment confirmed that the site is wholly on dune sands (refer Plates 14 & 15 for examples and Plates 21 & 22).

Plate 21. Example of dune sand that forms the base of the whole title

Figure 9. Fire history for subject title and surrounds

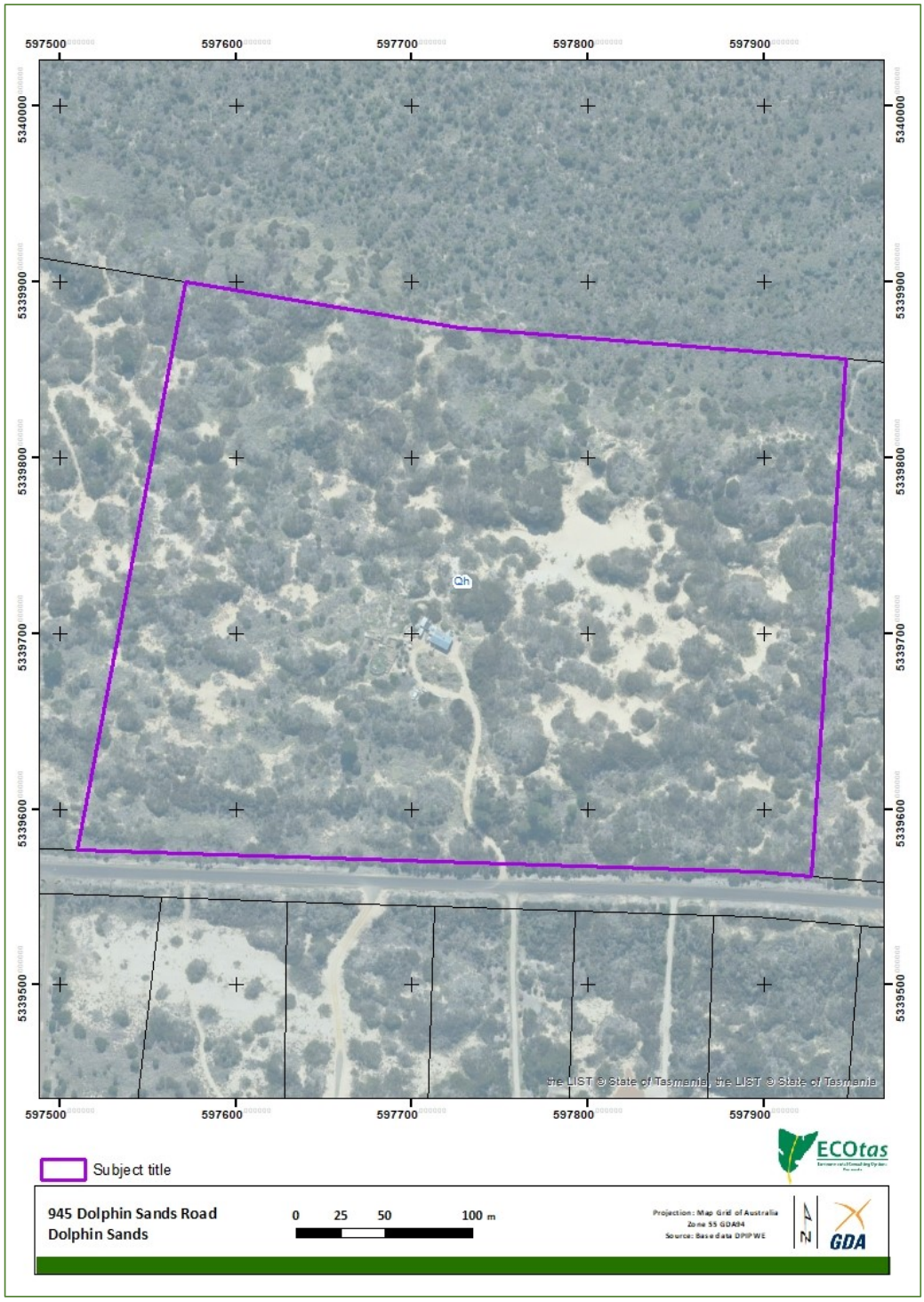


Figure 10. Geology of the subject title and surrounds

METHODS

Nomenclature

All grid references in this report are in GDA94, except where otherwise stated.

Vascular species nomenclature follows de Salas & Baker (2022) for scientific names and Wapstra et al. (2005+) for common names. Fauna species scientific and common names follow the listings in the cited *Natural Values Atlas* report (DNRET 2022a).

Vegetation classification follows TASVEG 4.0, as described in *From Forest to Fjaeldmark: Descriptions of Tasmania's Vegetation (*Kitchener & Harris 2013+).

Preliminary investigation

Available sources of previous reports, threatened flora records, vegetation mapping and other potential environmental values were interrogated. These sources include:

- Tasmanian Department of Natural Resources and Environment Tasmania's *Natural Values Atlas* records for threatened flora and fauna (GIS coverage maintained by the author current as at date of report);
- Tasmanian Department of Natural Resources and Environment Tasmania's *Natural Values Atlas* report ECOtas_945DolphinSandsRoad for a polygon defining the subject title (centred on 597735mE 5339719mE), buffered by 5 km, dated 17 Oct. 2022 (DNRET 2022a) – Appendix E;
- Forest Practices Authority's *Biodiversity Values Database* report, specifically the species' information for grid reference centroid 597735mE 5339719mE (i.e. a point defining the approximate centre of the assessment area), buffered by 5 km and 2 km for threatened fauna and flora records, respectively, hyperlinked species' profiles and predicted range boundary maps, dated 17 Oct. 2022 (FPA 2022) – Appendix F;
- Commonwealth *Protected Matters Report* for a polygon defining the subject title, buffered by 5 km, dated 17 Oct. 2022 (CofA 2022) – Appendix G;
- the TASVEG 3.0, TASVEG 4.0 & TASVEG Live vegetation coverages (as available through GIS coverage and via LISTmap);
- GoogleEarth, LISTmap and ESRI aerial orthoimagery; and
- other sources listed in tables and text as indicated.

Field assessment

The assessment was undertaken by Mark Wapstra (ECO*tas*) on 12 Oct. 2022. Cadastral data uploaded to the iGIS application guided the in-field assessment (most boundaries unfenced with limited survey markers). Meandering transects were used to capture the greater range of aspects, slopes and site conditions.

The survey was not limited by access due to the simple configuration of the title and generally open understorey.

All data was captured using hand-held GPS (Garmin Oregon 600).

Vegetation classification

Vegetation was classified by waypointing vegetation transitions for later comparison to aerial imagery. The structure and composition of the vegetation types was described using a nominal 30 m radius plot at a representative site within the vegetation types, and compiling a "running" species list for the balance of the vegetation.

Threatened flora

With reference to the threatened flora, the survey included consideration of the most likely habitats for such species. No threatened flora were encountered so further methods are not presented.

Threatened fauna

Surveys for threatened fauna were largely limited to an examination of "potential habitat" (i.e. comparison of on-site habitat features to habitat descriptions for threatened fauna), and detection of tracks, scats and other signs.

Weed and hygiene issues

The study area was assessed with respect to plant species classified as declared weeds under the Tasmanian *Weed Management Act 1999*, Weeds of National Significance (WoNS) or "environmental weeds" (author opinion and as included in *A Guide to Environmental and Agricultural Weeds of Southern Tasmania*, NRM South 2017).

The study area was assessed with respect to potential impacts of plant and animal pathogens, by reference to habitat types and field symptoms.

FINDINGS

Vegetation types

Comments on TASVEG mapping

This section, which comments on the existing TASVEG mapping for the study area, is included to highlight the differences between existing mapping and the more recent mapping from the present study to ensure that any parties assessing land use proposals (via this report) do not rely on existing mapping. Note that TASVEG mapping, which was mainly a desktop mapping exercise based on aerial photography, is often substantially different to ground-truthed vegetation mapping, especially at a local scale. An examination of existing vegetation mapping is usually a useful pre-assessment exercise to gain an understanding of the range of habitat types likely to be present and the level of previous botanical surveys.

In this case, it is useful to examine both TASVEG 3.0 & 4.0 mapping because while the latter should be the most up-to-date, the former has been used to inform the *Tasmanian Planning Scheme* and specifically the Regional Ecosystem Model's mapping of the Priority Vegetation Area overlay.

In this case, TASVEG 3.0 (Figure 11) maps the title wholly as coastal scrub (TASVEG code: SSC) and *Acacia longifolia* coastal scrub (TASVEG code: SAL). TASVEG 4.0 & Live (Figure 12) map the title wholly as *Acacia longifolia* coastal scrub (TASVEG code: SAL). TASVEG 4.0 recognises the aerial photography "signature" is much better ascribed to coast wattle than a mixed coastal scrub, which is clearly present further to the north (although both TASVEG 3.0 & 4.0 map this different "signature" as SAL rather than SSC). Note that both TASVEG 3.0 & 4.0 do not recognise minor gaps in the scrub as either marram grassland (TASVEG code: FMG) or sand, mud (TASVEG code: OSM), logically subsuming the mosaic of scrub, open sand areas and marram grass patches into a broader concept of SAL.

Vegetation types recorded as part of the present study

Vegetation types have been classified according to TASVEG 4.0, as described in *From Forest to Fjaeldmark: Descriptions of Tasmania's Vegetation* (Kitchener & Harris 2013+). Table 1 provides information on the mapping units identified from the subject title (see also Figure 13). Refer to Appendix A for a more detailed description of the native vegetation mapping units identified from the subject title.

Table 1. Vegetation mapping units present in the subject title

[conservation status: NCA – as per Schedule 3A of the Tasmanian *Nature Conservation Act 2002*, using units described by Kitchener & Harris (2013+), relating to TASVEG mapping units (DNRET 2022b); EPBCA – as per the listing of ecological communities on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*, relating to communities as described under that Act, but with equivalencies to TASVEG units]

TASVEG mapping unit (Kitchener & Harris 2013+)	**Conservation priority** NCA *EPBCA*	**Comments**
Scrub, heathland and coastal complexes		
Acacia longifolia coastal scrub (SAL)	not threatened *not threatened*	Most of the title is dominated by *Acacia longifolia* subsp. *sophorae* (coast wattle), with only very minor occurrences of other native shrubs, all in a mosaic with relatively dense marram grass (with very occasional native grasses and herbs) and open sandy gaps. There are no trees present. Note that I have taken a broad approach to the concept of SAL, including some areas of open sand and marram grass, recognising the mosaic will shift geographically and temporally.
coastal scrub (SSC)	not threatened *not threatened*	The far northeast of the title is structurally and compositionally diverse, and while some *Acacia longifolia* subsp. *sophorae* (coast wattle) is still present, the topography (broad flat behind steeper dunes) and diversity indicates that classification as SSC is more appropriate. Most of the species diversity (Appendix B) arises in this part of the title. The extent of SSC vs. SAL is well-defined topographically and on aerial imagery. Surprisingly, TASVEG Live maps the obvious SSC "signature to the north (extensive) as SAL.
Modified land		
urban areas (FUR)	not threatened *not threatened*	Consistent with the gradual approach of TASVEG Live in recognising developed parts of otherwise vegetated titles as FUR, the access and house site with its immediate surrounds have been excised as FUR.

Figure 11. Study area and surrounds showing existing TASVEG 3.0 vegetation mapping (see text for codes)

Figure 12. Study area and surrounds showing existing TASVEG 4.0/Live vegetation mapping (see text for codes)

Figure 13. Revised vegetation mapping for the subject title (see text for codes)

Conservation significance of identified native vegetation type

SAL & SSC do not equate to native vegetation communities listed as threatened on Schedule 3A of the Tasmanian *Nature Conservation Act 2002* or to threatened ecological communities listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

As vegetation types, SAL & SSC do not qualify as "priority vegetation" within the intent of C7.3.1 of the Natural Assets Code of the *Tasmanian Planning Scheme – Glamorgan Spring Bay*, which is defined as follows:

C7.3 Definition of Terms

C7.3.1 In this code, unless the contrary intention appears:

means native vegetation where any of the following apply:

(a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the *Nature Conservation Act 2002*;

(b) is a threatened flora species;

(c) it forms a significant habitat for a threatened fauna species; or

(d) it has been identified as native vegetation of local importance.

That is, C7.3.1(a) is not applicable. Refer to **DISCUSSION *Legislative and policy implications*** for a more detailed analysis of this concept.

Plant species

General information

A total of 49 vascular plant species were recorded from the subject title (Appendix B), comprising 34 dicotyledons (including 8 naturalised species and 4 native species planted on site), 13 monocotyledons (including 4 naturalised species), 1 gymnosperm (naturalised) and 1 pteridophyte (native). This relatively low species diversity is highly typical of the identified vegetation types in this part of the State, noting that much of the diversity arises because of the small area of coastal scrub with the coast wattle scrub being typically very species-poor.

Additional surveys at different times of the year may detect additional short-lived herbs and grasses but a follow-up survey is not considered warranted because of low likelihood of species with a high priority for conservation management being present.

Threatened flora

Database information indicates that the subject title does not support known populations of flora listed as threatened on the Tasmanian *Threatened Species Protection Act 1995* and/or the Commonwealth *Environment Protection and Biodiversity Protection Act 1999* (Figure 14). Site assessment did not detect any such species.

Figure 14 indicates threatened flora species near to the study area and Table C1 (Appendix C) provides a listing of threatened flora from within 5,000 m of the study area (nominal buffer width usually used to discuss the potential of a particular study area to support various species listed in databases), with comments on whether potential habitat is present for the species, and possible reasons why a species was not recorded.

Figure 14a. Distribution of threatened flora close to the study area (overview)

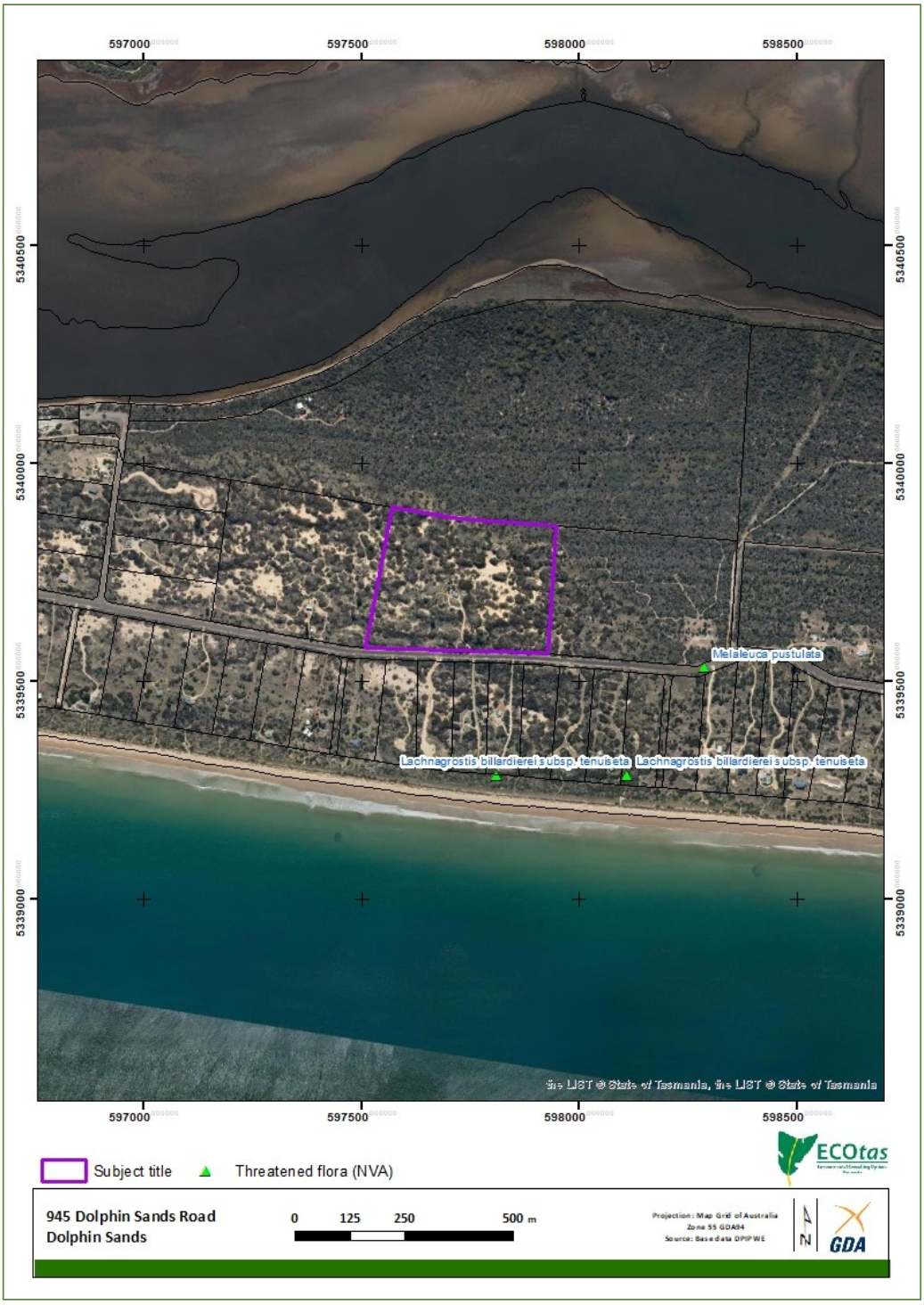


Figure 14b. Distribution of threatened flora close to the study area (close)

Threatened fauna

Database information indicates that the subject title does not support known populations of fauna listed as threatened on either the Tasmanian *Threatened Species Protection Act 1995* and/or the Commonwealth *Environment Protection and Biodiversity Protection Act 1999* (Figure 15a). Site assessment did not detect any such species.

Figure 15a indicates threatened fauna species near to the study area and Table D1 (Appendix D) provides a listing of threatened fauna from within 5,000 m of the study area (nominal buffer width usually used to discuss the potential of a particular study area to support various species listed in databases), with comments on whether potential habitat is present for the species, and possible reasons why a species was not recorded.

Note that there several recorded nests of *Haliaeetus leucogaster* (white-bellied sea-eagle) along the Dolphin Sands spit but none are within the notional 500 m or 1,000 m line-of-sight management zones often applied to such sites (Figure 15b). Modelled potential habitat is all in the lowest predicted categories (Figure 15b). Importantly, while there is some modelled habitat close to the title and the nearest nests are in the same low modelled habitat, my personal knowledge (and this is confirmed by aerial imagery) indicates that the nests are in pockets of *Eucalyptus viminalis – Eucalyptus globulus* coastal forest and woodland (TASVEG code: DVC) rather than coastal scrub (TASVEG code: SSC), the latter of which forms an extensive swathe for ca. 500 m north, northwest and northeast of the subject title i.e. there is no potential nesting habitat requiring searching.

In my opinion, no part of the title qualifies as "priority vegetation" because of the presence of "significant habitat for a threatened fauna species" within the intent of C7.3.1(c) of the Natural Assets Code of the *Tasmanian Planning Scheme – Glamorgan Spring Bay*, where "significant habitat" is defined under the *Scheme* as follows:

> "the habitat within the known or core range of a threatened fauna species, where any of the following applies:
>
> (a) is known to be of high priority for the maintenance of breeding populations throughout the species' range; or
>
> (b) the conversion of it to non-priority vegetation is considered to result in a long-term negative impact on breeding populations of the threatened fauna species".

Problematically, the *Scheme* does not define the terms "known" or "core" range, which means this could rely on those used by other agencies such as the Forest Practices Authority and/or the Department of Natural Resources and Environment Tasmania, which are effectively presented in the relevant database reports (DNRET 2022a; FPA 2022). While the subject site is within the so-called "known or core range" of some listed fauna species, in no manner can any part of the site be assigned as being of "high priority for the maintenance of breeding populations throughout the species' range" at any reasonable scale (see Appendix D for a more detailed analysis of this) or be in any way construed as meeting the intent of a scenario in which "the conversion of it [i.e. "significant habitat"] to non-priority vegetation [could be] considered to result in a long-term negative impact on breeding populations of the threatened fauna species" (see also Appendix D for a more detailed analysis of this).

That is, C7.3.1(c) is not applicable. Refer to **DISCUSSION *Legislative and policy implications*** for a more detailed analysis of this concept.

Figure 15a. Distribution of threatened fauna close to the study area (overview)

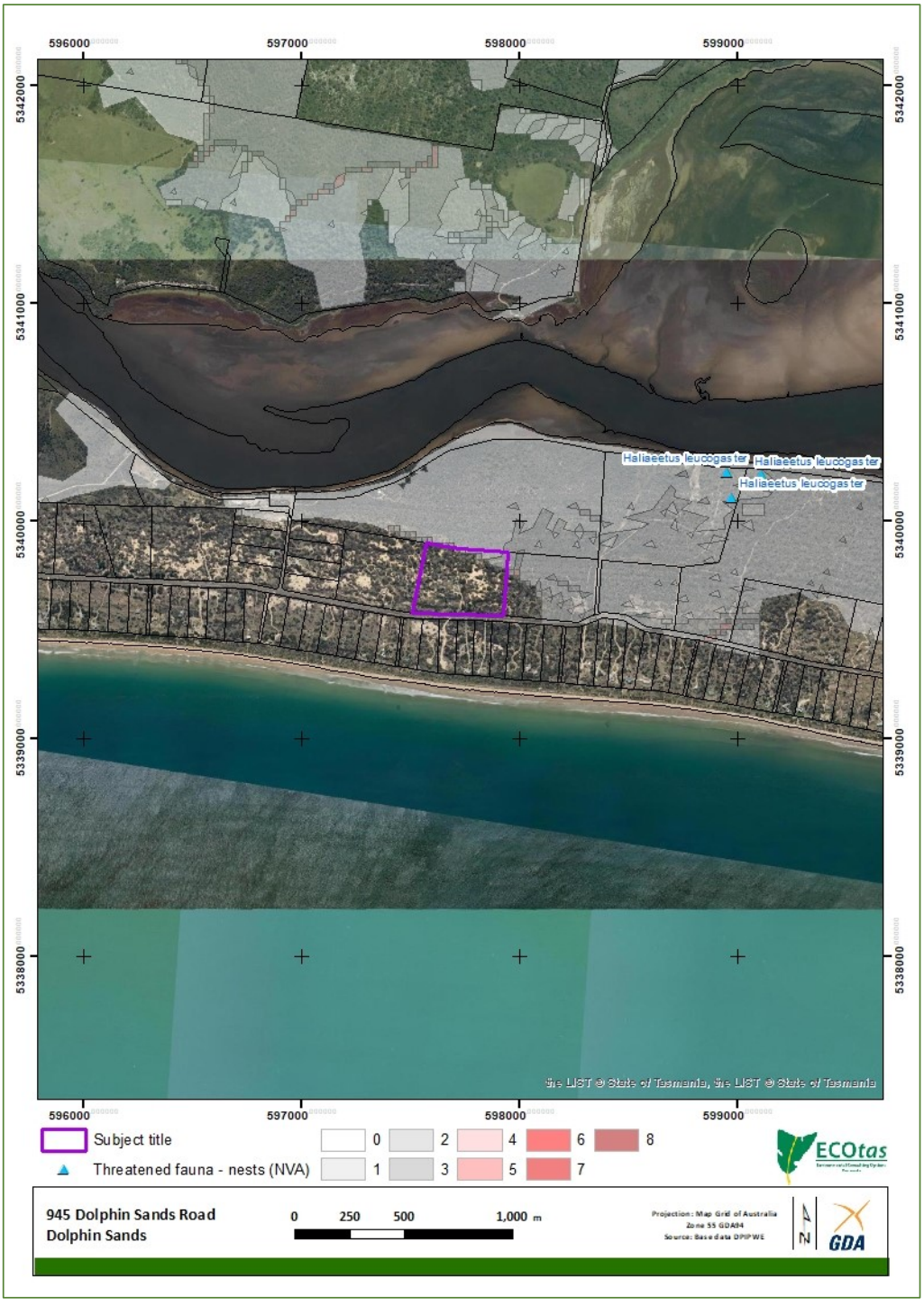


Figure 15b. Location of nearest recorded white-bellied sea-eagle nests and indicative modelled potential habitat (all low to very low)

Other natural values

Weed species

One plant species classified as a declared weed within the meaning of the Tasmanian *Weed Management Act 1999* (*Biosecurity Act 2019*) was detected from the subject title, as follows (Figure 16):

- *Ulex europaeus* (gorse): single isolated patch in far north of title (Plates 22 & 23).

Given that access to the title will be from the fully-formed, sealed and well-maintained Dolphin Sands Road, the risk of construction machinery and vehicles introducing weeds to the subject title is considered low.

Plates 22 & 23. Localised patch of gorse in north of title

It is recommended that the small patch of gorse be treated as soon as possible by cutting and pasting (or spraying) with herbicide to minimise the risk of spread. It is noted, however, that the risk of spread is currently low because of the dense coast wattle/marram grass surrounding the patch, the risk of spread only becoming higher after an event such as fire that may activate long-lived soil-stored seed.

Longer-term special management (e.g. a complex weed management plan) is not considered warranted because owner occupation is considered the most appropriate (and realistic) means of achieving control of any declared species (should they become established), where vigilance and immediate control are practical.

Several planning manuals provide guidance on appropriate management actions, which can be referred to develop site-specific prescriptions for any proposed works in the study area. These manuals include:

- Allan, K. & Gartenstein, S. (2010). *Keeping It Clean: A Tasmanian Field Hygiene Manual to Prevent the Spread of Freshwater Pests and Pathogens*. NRM South, Hobart;
- Rudman, T. (2005). *Interim* Phytophthora cinnamomi *Management Guidelines*. Nature Conservation Report 05/7, Biodiversity Conservation Branch, Department of Primary Industries, Water & Environment, Hobart;
- Rudman, T., Tucker, D. & French, D. (2004). *Washdown Procedures for Weed and Disease Control*. Edition 1. Department of Primary Industries, Water & Environment, Hobart; and
- DPIPWE (2015). *Weed and Disease Planning and Hygiene Guidelines – Preventing the Spread of Weeds and Diseases in Tasmania*. Department of Primary Industries, Parks, Water & Environment, Hobart.

Figure 16. Distribution of declared weeds

Rootrot pathogen, *Phytophthora cinnamomi*

Phytophthora cinnamomi (PC) is widespread in lowland areas of Tasmania, across all land tenures. However, disease will not develop when soils are too cold or too dry. For these reasons, PC is not a threat to susceptible plant species that grow at altitudes higher than about 700 m or where annual rainfall is less than about 600 mm (e.g. Midlands and Derwent Valley). Furthermore, disease is unlikely to develop beneath a dense canopy of vegetation because shading cools the soils to below the optimum temperature for the pathogen. A continuous canopy of vegetation taller than about 2 m is sufficient to suppress disease. Hence PC is not considered a threat to susceptible plant species growing in wet sclerophyll forests, rainforests (except disturbed rainforests on infertile soils) and scrub e.g. teatree scrub (Rudman 2005; FPA 2009).

The native vegetation types identified from the study area (SAL & SAL) are not recognised as being particularly susceptible to PC. Site assessment did not record any field symptoms (dead and/or dying susceptible plant species). No special management should be required in relation to PC.

Myrtle wilt

Myrtle wilt, caused by a wind-borne fungus (*Chalara australis*), occurs naturally in rainforest where myrtle beech (*Nothofagus cunninghamii*) is present. The fungus enters wounds in the tree, usually caused by damage from wood-boring insects, wind damage and forest clearing. The incidence of myrtle wilt often increases forest clearing events such as windthrow and wildfire.

The study area does not support *Nothofagus cunninghamii*. No special management is required.

Myrtle rust

Myrtle rust is a disease limited to plants in the Myrtaceae family. This plant disease is a member of the guava rust complex caused by *Austropuccinia psidii*, a known significant pathogen of Myrtaceae plants outside Australia. Infestations are currently limited to NSW, Victoria, Queensland and Tasmania (DPIPWE 2015).

No evidence of myrtle rust was noted. The longer-term management issue for the site is to ensure that any ornamental plantings source plants from a reputable nursery free from the pathogen (such businesses are already subject to strict biosecurity conditions).

Chytrid fungus and other freshwater pathogens

Native freshwater species and habitat are under threat from freshwater pests and pathogens including *Batrachochytrium dendrobatidis* (chytrid frog disease), *Mucor amphibiorum* (platypus mucor disease) and the freshwater algal pest *Didymosphenia geminata* (didymo) (Allan & Gartenstein 2010). Freshwater pests and pathogens are spread to new areas when contaminated water, mud, gravel, soil and plant material or infected animals are moved between sites. Contaminated materials and animals are commonly transported on boots, equipment, vehicles tyres and during road construction and maintenance activities. Once a pest pathogen is present in a water system it is usually impossible to eradicate. The manual *Keeping it Clean - A Tasmanian Field Hygiene Manual to Prevent the Spread of Freshwater Pests and Pathogens* (Allan & Gartenstein 2010) provides information on how to prevent the spread of freshwater pests and pathogens in Tasmanian waterways wetlands, swamps and boggy areas.

The subject title includes no ephemeral or permanent water features, such that no special management is required.

Additional "Matters of National Environmental Significance" – Threatened Ecological Communities

CofA (2022) indicates that the following threatened ecological communities listed on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) may, or are likely to, occur within the area:

- Lowland Native Grasslands of Tasmania [Critically Endangered];
- Subtropical and Temperate Coastal Saltmarsh [Vulnerable];
- Tasmanian Forests and Woodlands dominated by Black Gum or Brookers Gum *(Eucalyptus ovata* / E. *brookeriana*) [Critically Endangered]; and
- Tasmanian White Gum (*Eucalyptus viminalis*) Wet Forest [Critically Endangered].

Existing vegetation mapping (Figures 11 & 12) and revised vegetation mapping (Figure 13) indicates that these communities are not present within or adjacent to the subject title i.e. there are no implications under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* in relation to threatened ecological communities.

Additional "Matters of National Environmental Significance" – Wetlands of International Importance

CofA (2022) indicates that study area is within, or within 10 km of, two Ramsar sites, namely:

- Apsley Marshes; and
- Moulting Lagoon.

The site is wholly outside the catchment of Apsley Marshes (which are at the upper reaches of Moulting Lagoon) but may be marginally the catchment of Moulting Lagoon (Figure 7). That said, there is no evidence that any part of the title has any "flow" of water towards the lagoon, and the site's highest point is along the northern boundary, at least 550 m from the edge of the lagoon i.e. there are no implications under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* in relation to wetlands of international importance (refer to **DISCUSSION *Legislative and policy implications*** for more details).

DISCUSSION

Summary of key findings

Threatened flora

- No plant species listed as threatened on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) and/or the Tasmanian *Threatened Species Protection Act 1995* (TSPA) were detected, or are known from database information, from the study area.

Threatened fauna

- No fauna species listed as threatened on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) and/or the Tasmanian *Threatened Species Protection Act 1995* (TSPA) were detected, or are known from database information, from the study area.

- The study area does meet the intent of "significant habitat for a threatened fauna species", at any reasonable scale or interpretation of the concept, pursuant to the Natural Assets Code of the *Tasmanian Planning Scheme – Glamorgan-Spring Bay*.

Vegetation types

- The study area supports the following TASVEG mapping units:
  - *Acacia longifolia* coastal scrub (TASVEG code: SAL);
  - coastal scrub (TASVEG code: SSC); and
  - urban areas (TASVEG code: FUR).
- SAL & SSC do not equate to native vegetation communities listed as threatened on Schedule 3A of the Tasmanian *Nature Conservation Act 2002* or to threatened ecological communities listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.
- The vegetation does not meet the intent of "priority vegetation" pursuant to the Natural Assets Code of the *Tasmanian Planning Scheme – Glamorgan-Spring Bay*.

Weeds

- One plant species classified as a declared weed within the meaning of the Tasmanian *Weed Management Act 1999* (*Biosecurity Act 2019*) was detected from the study area, as follows:
  - *Ulex europaeus* (gorse): one small patch.

Plant disease

- No evidence of *Phytophthora cinnamomi* (PC, rootrot) was observed in susceptible species within the study area.
- No evidence of myrtle wilt was recorded from within the study area.
- No evidence of myrtle rust was recorded from within the study area.

Animal disease (chytrid)

- The study area does not support particular habitats conducive to frog chytrid disease.

Legislative and policy implications

Some commentary is provided below with respect to the key threatened species, vegetation management and other relevant legislation. Note that there may be other relevant policy instruments in addition to those discussed. The following information does not constitute legal advice and it is recommended that independent advice is sought from the relevant agency/authority.

Tasmanian *Threatened Species Protection Act 1995*

Threatened flora and fauna on this Act are managed under Section 51, as follows:

> 51. Offences relating to listed taxa
>
> (1) Subject to subsections (2) and (3), a person must not knowingly, without a permit –
>
> (a) take, keep, trade in or process any specimen of a listed taxon of flora or fauna; or

(b) disturb any specimen of a listed taxon of flora or fauna found on land subject to an interim protection order; or

(c) disturb any specimen of a listed taxon of flora or fauna contrary to a land management agreement; or

(d) disturb any specimen of a listed taxon of flora or fauna that is subject to a conservation covenant entered into under Part 5 of the *Nature Conservation Act 2002*; or

(e) abandon or release any specimen of a listed taxon of flora or fauna into the wild.

(2) A person may take, keep or process, without a permit, a specimen of a listed taxon of flora in a domestic garden.

(3) A person acting in accordance with a certified forest practices plan or a public authority management agreement may take, without a permit, a specimen of a listed taxon of flora or fauna, unless the Secretary, by notice in writing, requires the person to obtain a permit.

(4) A person undertaking dam works in accordance with a Division 3 permit issued under the *Water Management Act 1999* may take, without a permit, a specimen of a listed taxon of flora or fauna.

The simplest interpretation of this is that any activity that results in a specimen (i.e. individual) of listed flora or fauna being "knowingly taken" would require a permit to be issued through Conservation Assessments, Department of Natural Resources and Environment Tasmania, through a formal application process.

In the absence of an identifiable known location of a specimen of a threatened fauna or flora species from the area proposed for development, the Act has no application. The Act does not make reference to the clearance or disturbance of "potential habitat".

Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*

Under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* an action will require approval from the minister if the action has, will have, or is likely to have, a significant impact on a matter of national environmental significance.

Matters of national environmental significance considered under the EPBCA include:

- listed threatened species and communities
- listed migratory species;
- Ramsar wetlands of international importance;
- Commonwealth marine environment;
- world heritage properties;
- national heritage places;
- the Great Barrier Reef Marine Park;
- nuclear actions; and
- a water resource, in relation to coal seam gas development and large coal mining development.

The relevant Commonwealth agency provides a policy statement titled *Matters of National Environmental Significance: Significant Impact Guidelines 1.1* (CofA 2013, herein the *Guidelines*), which provides overarching guidance on determining whether an action is likely to have a significant impact on a matter protected under the EPBCA.

The *Guidelines* define a **significant impact** as:

> *"…an impact which is important, notable, or of consequence, having regard to its context or intensity. Whether or not an action is likely to have a significant impact depends upon the sensitivity, value, and quality of the environment which is impacted, and upon the intensity, duration, magnitude and geographic extent of the impacts"*

and note that:

> *"…all of these factors [need to be considered] when determining whether an action is likely to have a significant impact on matters of national environmental significance".*

The *Guidelines* provide advice on when a significant impact may be likely:

> *"To be 'likely', it is not necessary for a significant impact to have a greater than 50% chance of happening; it is sufficient if a significant impact on the environment is a real or not remote chance or possibility.*
>
> *If there is scientific uncertainty about the impacts of your action and potential impacts are serious or irreversible, the precautionary principle is applicable. Accordingly, a lack of scientific certainty about the potential impacts of an action will not itself justify a decision that the action is not likely to have a significant impact on the environment".*

The *Guidelines* provide a set of Significant Impact Criteria (CofA 2013), which are "intended to assist…in determining whether the impacts of [the] proposed action on any matter of national environmental significance are likely to be significant impacts". It is noted that the criteria are "intended to provide general guidance on the types of actions that will require approval and the types of actions that will not require approval…[and]…not intended to be exhaustive or definitive".

When considering whether or not an action is likely to have a significant impact on a matter of national environmental significance it is relevant to consider all adverse impacts which result from the action, including indirect and offsite impacts. Indirect and offsite impacts include:

a. 'downstream' or 'downwind' impacts, such as impacts on wetlands or ocean reefs from sediment, fertilisers or chemicals which are washed or discharged into river systems;

b. 'upstream impacts' such as impacts associated with the extraction of raw materials and other inputs which are used to undertake the action; and

c. 'facilitated impacts' which result from further actions (including actions by third parties) which are made possible or facilitated by the action.

For example, the construction of a dam for irrigation water facilitates the use of that water by irrigators with associated impacts. Likewise, the construction of basic infrastructure in a previously undeveloped area may, in certain circumstances, facilitate the urban or commercial development of that area.

Consideration should be given to all adverse impacts that could reasonably be predicted to follow from the action, whether these impacts are within the control of the person proposing to take the action or not. Indirect impacts will be relevant where they are sufficiently close to the proposed action to be said to be a consequence of the action, and they can reasonably be imputed to be within the contemplation of the person proposing to take the action.

Listed ecological communities

The subject title does not support any such communities.

Threatened flora

The subject title does not support any such species, nor potential habitat of such species (except in a very general sense).

Threatened fauna

The study area may support populations of threatened fauna listed on the Act, most notably the Tasmanian devil, spotted-tailed quoll, eastern quoll and eastern barred bandicoot, although no specific evidence such as scats, diggings or dens were noted. Note that the study area is within the range of several other species listed on the Act but it is unlikely that the proposal will result in a significant impact on these species (this includes wide-ranging species such as the wedge-tailed eagle and masked owl).

The relevant Commonwealth agency provides a *Significant Impact Guidelines* policy statement (CofA 2013) to determine if referral to the department is required. The *Guidelines* consider a "significant impact" to comprise loss that is likely to lead to a long-term decrease in the size of an important population of a species (unlikely to be the case); reduce the area of occupancy of an important population (also unlikely at any reasonable scale); fragment an existing important population into two or more populations (minor habitat loss will occur but not such that fragmentation will result); adversely affect habitat critical to the survival of a species ("critical habitat" has not been defined per se); disrupt the breeding cycle of an important population (unlikely); modify, destroy, remove or isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline (this seems unlikely – see previous commentary); result in invasive species that are harmful to a threatened species becoming established in the threatened species' habitat (unlikely); introduce disease that may cause the species to decline (unlikely to introduce and/or exacerbate Devil Facial Tumour Disease); or interfere substantially with the recovery of the species (unlikely at any reasonable scale).

On this initial review of the *Guidelines*, it seems unlikely that the proposal as indicated will result in the need for a referral.

Ramsar wetland

CofA (2022) indicates that the study area may be marginally within the catchment of Moulting Lagoon (Figure 7).

The subject title does not include any wetland features itself. It does not directly bound Moulting Lagoon (Figure 7). There is no evidence that any part of the title has any "flow" of water towards the lagoon, and the site's highest point is along the northern boundary, at least 550 m from the edge of the lagoon.

In specific respect to wetlands of internal importance (Ramsar), the *Guidelines* state:

> Approval is required for an action occurring within or outside a declared Ramsar wetland if the action has, will have, or is likely to have a significant impact on the ecological character of the Ramsar wetland.
>
> An action is likely to have a significant impact on the ecological character of a declared Ramsar wetland if there is a real chance or possibility that it will result in:
>
> • areas of the wetland being destroyed or substantially modified
>
> [this does not seem a likely scenario for any development within the study area]
>
> • a substantial and measurable change in the hydrological regime of the wetland, for example, a substantial change to the volume, timing, duration and frequency of ground and surface water flows to and within the wetland
>
> [this does not seem a likely scenario for any development within the study area]
>
> • the habitat or lifecycle of native species, including invertebrate fauna and fish species, dependant upon the wetland being seriously affected
>
> [this does not seem a likely scenario for any development within the study area]

- a substantial and measurable change in the water quality of the wetland – for example, a substantial change in the level of salinity, pollutants, or nutrients in the wetland, or water temperature which may adversely impact on biodiversity, ecological integrity, social amenity or human health, or

[this does not seem a likely scenario for any development within the study area]

- an invasive species that is harmful to the ecological character of the wetland being established (or an existing invasive species being spread) in the wetland.

[this does not seem a likely scenario for any development within the study area]

On this initial review of the *Guidelines*, it seems unlikely that the proposal as indicated will result in the need for a referral.

Tasmanian *Forest Practices Act 1985* and associated *Forest Practices Regulations 2017*

The *Regulations* provide the following relevant circumstances in which a Forest Practices Plan is not required.

> 4. Circumstances in which forest practices plan, &c., not required
>
> For the purpose of section 17(6) of the Act, the following circumstances are prescribed:
>
> (a) the harvesting of timber or the clearing of trees, with the consent of the owner of the land, if the land is not vulnerable land and –
>
> (i) the volume of timber harvested or trees cleared is less than 100 tonnes for each area of applicable land per year; or
>
> (ii) the total area of land on which the harvesting or clearing occurs is less than one hectare for each area of applicable land per year –
>
> whichever is the lesser;
>
> (j) the harvesting of timber or the clearing of trees on any land, or the clearance and conversion of a threatened native vegetation community on any land, for the purpose of enabling –
>
> (i) the construction of a building within the meaning of the *Land Use Planning and Approvals Act 1993* or of a group of such buildings; or
>
> (ii) the carrying out of any associated development –
>
> if the construction of the buildings or carrying out of the associated development is authorised by a permit issued under that Act.

On this basis, the proposed development should not require a Forest Practices Plan.

Tasmanian *Nature Conservation Act 2002*

Schedule 3A of the Act lists vegetation types classified as threatened within Tasmania. The title supports no such vegetation types.

Tasmanian *Weed Management Act 1999* (*Biosecurity Act 2019*)

One plant species classified as a declared weed within the meaning of the Act was detected from the study area, as follows:

- *Ulex europaeus* (gorse).

Glamorgan Spring Bay municipality is a zone B municipality (widespread infestations) with respect to this species under the Statutory Weed Management Plan (see www.nre.tas.gov.au). "Containment is the most appropriate management objective for Zone B municipalities which have problematic infestations but no plan and/or resources to undertake control actions at a level required for eradication. The management outcome for Zone B municipalities is ongoing prevention of the spread of [this species] from existing infestations to areas free or in the process of becoming free of gorse".

It is recommended that the small patch of gorse be treated as soon as possible by cutting and pasting (or spraying) with herbicide to minimise the risk of spread. It is noted, however, that the risk of spread is currently low because of the dense coast wattle/marram grass surrounding the patch, the risk of spread only becoming higher after an event such as fire that may activate long-lived soil-stored seed.

Longer-term special management (e.g. a complex weed management plan) is not considered warranted because owner occupation is considered the most appropriate (and realistic) means of achieving control of any declared species (should they become established), where vigilance and immediate control are practical.

Tasmanian *Land Use Planning and Approvals Act 1993*

The applicable planning scheme for the study area is the *Tasmanian Planning Scheme – Glamorgan-Spring Bay*. Note that the following is my interpretation of the provisions of the *Scheme* and may not necessarily represent the views of Glamorgan Spring Bay Council. The following does not constitute legal advice. It is recommended that formal advice be sought from the relevant agency prior to acting on any aspect of this statement.

The subject title is zoned as zoned as Particular Purpose – Dolphin Sands pursuant to the *Tasmanian Planning Scheme – Glamorgan-Spring Bay* (Figure 5), and wholly subject to the Priority Vegetation Area overlay (Figure 6).

Below I address the various relevant provisions of the *Scheme* that relate to the management of values considered in the preceding report, with the emphasis on addressing the intent and specifics of the Natural Assets Code.

The purpose of the Natural Assets Code is stated below:

C7.1 The purpose of the Natural Assets Code is:

- C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.
- C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.
- C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.
- C7.1.4 To minimise impacts on identified priority vegetation.
- C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.

The above purpose statements are essentially addressed through the relevant development standards. However, as a general statement, I do not believe that the small-scale subdivision will compromise the intent of the purpose statements. Of the purpose statements, C7.1.4 is relevant to the present project with respect to the findings of this assessment and report. I do not believe

that C7.1.1, C7.1.2 or C7.1.3 are relevant. I do not believe that C7.1.5 is relevant at any reasonable scale (see later consideration of the concept of "significant habitat").

The application of the Natural Assets Code is stated below:

C7.2 Application of this Code:

C7.2.1 This code applies to development on land within the following areas:

(c) a priority vegetation area only if within the following zone:

(xi) Particular Purpose Zone

C7.2.2 This code does not apply to use.

The proposed development area is zoned as Particular Purpose and is subject to the Priority Vegetation Area overlay under the *Scheme* such that C7.2.1(c)(i) may have application.

At this point, however, it is worth discussing the classification of the site with respect to the intention of the *Scheme*'s definition of "priority vegetation", which is:

C7.3 Definition of Terms

C7.3.1 In this code, unless the contrary intention appears:

means native vegetation where any of the following apply:

(a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the *Nature Conservation Act 2002*;

(b) is a threatened flora species;

(c) it forms a significant habitat for a threatened fauna species; or

(d) it has been identified as native vegetation of local importance.

Under the Code, a "priority vegetation area" is defined to mean:

land shown on an overlay map in the relevant Local Provisions Schedule, as within a priority vegetation area.

Site assessment indicates that the subject title is classified as *Acacia longifolia* coastal scrub (TASVEG code: SAL) and coastal scrub (TASVEG code: SSC), which are not equivalent to native vegetation communities classified as threatened under Schedule 3A of the Tasmanian *Nature Conservation Act 2002*, such that C7.3.1(a) is not applicable.

The site does not support threatened flora, such that C7.3.1(b) is not applicable.

The site does not support significant habitat for threatened fauna such that C7.3.1(c) is not applicable. "Significant habitat" is defined to mean:

the habitat within the known or core range of a threatened fauna species, where any of the following applies:

(a) is known to be of high priority for the maintenance of breeding populations throughout the species' range; or

(b) the conversion of it to non-priority vegetation is considered to result in a long-term negative impact on breeding populations of the threatened fauna species.

Problematically, the *Scheme* does not define the terms "known" or "core" range, which means this could rely on those used by other agencies such as the Forest Practices Authority and/or the Department of Natural Resources and Environment Tasmania, which are effectively presented in the relevant database reports (DNRET 2022a; FPA 2022). While the subject site is within the so-called "known or core range" of some listed fauna species, in no manner can any part of the site

be assigned as being of "high priority for the maintenance of breeding populations throughout the species' range" at any reasonable scale (see Appendix D for a more detailed analysis of this) or be in any way construed as meeting the intent of a scenario in which "the conversion of it [i.e. "significant habitat"] to non-priority vegetation [could be] considered to result in a long-term negative impact on breeding populations of the threatened fauna species" (see also Appendix D for a more detailed analysis of this).

I am not aware that any part of the site has been "identified as native vegetation of local importance", noting that this cannot simply refer to a site subject to the overlay as that would be circular argument based on false logic (given that the basis for the overlay through the Regional Ecosystem Model acknowledges the need to ground-truth all modelling).

On the basis of the above review, the site does not support "priority vegetation" but is still subject to the Priority Vegetation Area overlay. While acknowledging the apparent disconnect between C7.2.1(c), which refers to the "priority vegetation area", and C7.3.1, which defines "priority vegetation", the balance of the Natural Assets Code provisions is reviewed below to ensure that the application can be considered with respect to an alternative interpretation.

The relevant development standards of the Natural Assets Code are C7.7.2 (Subdivision within a priority vegetation area), and have the following objective:

C7.7 Development Standards for subdivision

C7.7.2 Subdivision within a priority vegetation area

Objective:

That:

(a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and

(b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation.

The above objective statements are essentially addressed through the relevant acceptable solutions or performance criteria. However, as a general statement, I do not believe that the small-scale subdivision will compromise the intent of the objective statements. That said, it is difficult to address the objective statement in literal terms because while C7.7.2 refers to "subdivision within a priority vegetation area" (which will occur), the sub-clauses then rely on the presence of "priority vegetation", which is not present (see previous discussion), which renders C7.7.2(a) & C7.7.2(b) somewhat moot.

The acceptable solution for C7.7.2 is stated as:

A1

Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:

(a) be for the purposes of creating separate lots for existing buildings;

(b) be required for public use by the Crown, a council, or a State authority;

(c) be required for the provision of Utilities;

(d) be for the consolidation of a lot; or

(e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.

To my interpretation, A1 cannot be satisfied. There are two performance criteria that must be satisfied, which are addressed in turn below.

The performance criteria P1.1 are stated as:

> P1.1
>
> Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:
>
> (a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmanian Fire Service or an accredited person;
>
> (b) subdivision for the construction of a single dwelling or an associated outbuilding;
>
> (c) subdivision in the General Residential Zone or Low Density Residential Zone
>
> (d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;
>
> (e) subdivision involving clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or
>
> (f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.

The fact that P1.1 (a) through (f) are linked by "or" means that only one of these provisions needs to be satisfied.

It appears that P1.1(b) is satisfied because the proposal is for lots designed for the "construction of a single dwelling or an associated outbuilding".

In my opinion, P1.1(f) is also of relevance to the present proposal. However, this relies, unfortunately, on the presence of "priority vegetation", which it has already been demonstrated is not present. In addition, P1.1(f) uses the term "clearance of native vegetation", opening up two new interpretative dilemmas. First, the term "clearing" is not defined in the *Scheme* (see further discussion below). Second, it now refers to "native vegetation", apparently independent of the concept of "priority vegetation": the *Scheme* defines the latter but not the former.

With further reference to the concept of "clearance of native vegetation", that the site supports "native vegetation" is not questioned because the *Scheme* defines this to mean:

> plants that are indigenous to Tasmania including trees, shrubs, herbs and grasses that have not been planted for domestic or commercial purposes

With the classification of the whole site, apart from the existing access and house site, as *Acacia longifolia* coastal scrub (TASVEG code: SAL) and coastal scrub (TASVEG code: SSC), "native vegetation" is clearly present. For the record, this definition, however, is very much all-encompassing and means that sites that are not domestic gardens, commercial wood plantations, crops or very clearly intensively-managed pasture grass are all "native vegetation". Technically, this would include most road verges with scattered trees, shrubs and native grasses, but it could also be extended to "rough pasture" i.e. sites clearly used for primary production such as cropping, grazing, hay-making, etc. but that periodically revert to disused land and some native plant species occurring once again (most notably some native grasses, herbs like buzzies, a scattered teatree or wattle seedling, perhaps a patch of bracken). This definition of "native vegetation" was transferred from the interim planning schemes, where its interpretation has been "tested" in TASCAT (RMPAT) proceedings. In my opinion, significant care needs to be taken in the future utility of this term.

It is also quite clear that subdivision will eventually result in the "clearance of native vegetation", simply by reference to a "dictionary definition" of "clearing" (such as the removal of native vegetation). However, by use of the term "clearance" and the failure to provide a definition of such, reference needs to be made to the provision of a definition of the concept of "clearance and conversion" in the *Scheme* (Table 3.1 of Administration), which is taken to mean:

> as defined in the *Forest Practices Act 1985*

Under that Act, "clearance and conversion" has reference only to "threatened native vegetation communities" (i.e. those listed on Schedule 3A of the Tasmanian *Nature Conservation Act 2002*),

which means that the definition of "clearance and conversion" provided in the *Scheme* cannot have application to the subject site. This means the interpretation of P1.1(f) must fall to a broader meaning of "clearance". The challenge is that by implication of the use of the phrase "…that is of limited scale relative to the extent of priority vegetation on the site", the intent of reference to "native vegetation" is to "priority vegetation", otherwise the concept of "…relative to…" becomes logically inconsistent. In whatsoever way P1.1(f) is interpreted, the absence of "priority vegetation" (previously demonstrated) means that it is satisfied by default. Even if this were not the case, eventual occupation of three new lots with accesses and hazard management areas (BAL-19) will lead to the "clearance" of limited areas of the SAL vegetation in each title (approximate estimate of ca. 10% only of each title based on ca. 3 ha title areas) but at a broader level of a minuscule proportion of SAL at a sub-regional (e.g. Dolphin Sands spit), regional (South East bioregion) or municipal level. No areas of SSC are likely to be subject to "clearance" because it is located in the far northern part of the current title only. That is, in any reasonable sense, P1.1(f) is found to be satisfied.

Noting that both sub-clauses (b) and (f) are satisfied, P1.1 of C7.7.2 is found to be satisfied.

The performance criteria P1.2 are stated as:

> P1.2
>
> Works association [sic – associated] with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:
>
> (a) the design and location of any works, future development likely to be facilitated by subdivision, and any constraints such as topography or land hazards;
>
> (b) any particular requirements for the works and future development likely to be facilitated by the subdivision;
>
> (c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;
>
> (d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;
>
> (e) any on-site biodiversity offsets; and
>
> (f) any existing cleared areas on the site.

To address this provision, it must be assumed that the proposed development site supports "priority vegetation", which has not been identified as present (see previous discussion). On this basis, the over-arching part of P1.2 is considered to be satisfied by default (actually somewhat irrelevant because of the phrasing).

Further to this opening phrase of P1.2, reference is made to the concept of "minimise adverse impacts". First, the use of the term "minimise" contemplates that some level (albeit undefined) of impact is contemplated as being acceptable. Second, the use of the phrase "adverse impact" implies that works must have an "adverse" impact – this being an undefined concept in the *Scheme*, it becomes challenging to suggest that an activity such as establishment of a hazard management area in coast wattle scrub will genuinely result in an "adverse impact" (noting of course that this must be on "priority vegetation", which is not present). Certainly, however, an impact of say 10% of the eventual lot area (assumes a hazard management area of BAL-19 at ca. 30 m radius and some clearing for access equivalent to ca. 3,000 m^2 per lot) cannot be reasonably regarded as not satisfying the concept of "minimising (adverse) impact on (priority) vegetation".

With respect to the phrase "…having regard to…", this is considered in the manner referred to in *S and S McElwaine and A Hamilton v West Tamar Council and Growth Developments Pty Ltd [2021] TASCAT 4 (17 November 2021)*, where TASCAT stated: "the requirement to 'have regard to' does not elevate P2.1(a) to (f) to mandatory requirements that the proposal must satisfy. The tribunal need only consider those subparagraphs in ascertaining whether the proposal complies with clause E8.6.1 P2.1".

Below the sub-criteria of P1.2 are addressed in turn.

(a) the design and location of any works, future development likely to be facilitated by subdivision, and any constraints such as topography or land hazards;

The "future development" will presumably be boundary fencing, access from Dolphin Sands Road to satisfy engineering and bushfire hazard management requirements, a single residential dwelling and any associated elements, and establishment of a BAL-19 hazard management area. In "having regard to" these matters, I cannot anticipate a scenario in which such works would not result in a minimal impact to native vegetation.

I also note that with reference to "future development", that presumably C7.6.2 becomes relevant. However, it is noted that the provisions of P1.1 & P1.2 of C7.6.2 have virtually the same phrasing and application as P1.1 & P1.2 of C7.7.2 that further reference to C7.6.2 is not made.

(b) any particular requirements for the works and future development likely to be facilitated by the subdivision;

Uncertain application in relation to the identified natural values, except as indicated under sub-clause (a) above.

(c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;

I would usually accept a certified bushfire hazard management plan as meeting the intent of the provision. In this case, I accept that a BAL-19 rating is required for the lots and that this will result in minimal impact on native vegetation (see previous discussions).

(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;

Uncertain application in relation to the identified natural values, with the native vegetation having been classified as non-threatened mapping units and no reasonable residual impacts on "priority vegetation" identified.

(e) any on-site biodiversity offsets; and

No such offsets have been identified as necessary.

(f) any existing cleared areas on the site.

Not applicable because there are no such "existing cleared areas", except by loose reference to open sandy areas that have been mapped as part of the broader concept of SAL (recognising the geographic and temporal shifting of such open areas) and also noting that no such "existing cleared areas" would be large enough to accommodate any future development.

In conclusion, in my opinion, the proposed development meets the intent of P1.1 & P1.2 of C7.7.2 (and any future development will meet the intent of P1.1 & P1.2 of C7.6.2) of the Natural Assets Code, without the need for specific permit conditions in relation to natural values.

Recommendations

The recommendations provided below are a summary of those provided in relation to each of the natural values described in the main report. The main text of the report provides the relevant context for the recommendations.

Vegetation types

In general terms, minimising the extent of "clearance and conversion" and/or "disturbance" to native vegetation is recommended.

Threatened flora

None present, such that species management is not required.

Threatened fauna

Apart from the generic recommendation to minimise the extent of "clearance and conversion" and/or "disturbance" to native vegetation, specific management in relation to threatened fauna is not recommended.

Weed and disease management

It is recommended that the small patch of gorse be treated as soon as possible by cutting and pasting (or spraying) with herbicide to minimise the risk of spread. It is noted, however, that the risk of spread is currently low because of the dense coast wattle/marram grass surrounding the patch, the risk of spread only becoming higher after an event such as fire that may activate long-lived soil-stored seed.

Longer-term special management (e.g. a complex weed management plan) is not considered warranted because owner occupation is considered the most appropriate (and realistic) means of achieving control of any declared species (should they become established), where vigilance and immediate control are practical.

Legislative and policy implications

There are no formal requirements for a permit under Section 51 of the Tasmanian *Threatened Species Protection Act 1995* (TSPA).

A formal referral to the relevant Commonwealth agency under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) is not considered required.

Subdivision and subsequent development will require a planning permit pursuant to the provisions of the *Tasmanian Planning Scheme – Glamorgan Spring Bay*. In my opinion, the proposed development meets the intent of P1.1 & P1.2 of C7.7.2 (and any future development will meet the intent of P1.1 & P1.2 of C7.6.2) of the Natural Assets Code, without the need for specific permit conditions in relation to natural values.

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APPENDIX A. Vegetation community structure and composition

The tables below provide basic information on the structure and composition of the native vegetation mapping units identified from the study area.

***Acacia longifolia* coastal scrub (TASVEG code: SAL)**
Most of the title is dominated by *Acacia longifolia* subsp. *sophorae* (coast wattle), with only very minor occurrences of other native shrubs, all in a mosaic with relatively dense marram grass (with very occasional native grasses and herbs) and open sandy gaps. There are no trees present. Note that I have taken a broad approach to the concept of SAL, including some areas of open sand and marram grass, recognising the mosaic will shift geographically and temporally.

Typical mosaic of SAL with open sandy patches and marram grass

Stratum	**Height (m)** **Cover (%)**	**Species** (underline = dominant, parentheses = sparse; + = present only)
Tall shrubs	1-6 m 5-90%	*Acacia longifolia* subsp. *sophorae*
Low shrubs	<0.5 m +	*Monotoca elliptica, Banksia marginata, Acacia longifolia, Hibbertia hirsuta, Kennedia prostrata, Carpobrotus rossii, Leucopogon parviflora*
Grasses	5-90%	*Ammophila arenaria, (Austrostipa flavescens), (Poa labillardierei), (Vulpia fasciculata)*
Graminoids	+	*Ficinia nodosa*
Herbs	+	*Oxalis rubens, Cynoglossum australe, Hypochaeris radicata, Galium australe, Wahlenbergia littoricola, Acaena novae-zelandiae, Dichondra repens*

coastal scrub (TASVEG code: SSC)
The far northeast of the title is structurally and compositionally diverse, and while some *Acacia longifolia* subsp. *sophorae* (coast wattle) is still present, the topography (broad flat behind steeper dunes) and diversity indicates that classification as SSC is more appropriate. Most of the species diversity (Appendix B) arises in this part of the title. The extent of SSC vs. SAL is well-defined topographically and on aerial imagery. Surprisingly, TASVEG Live maps the obvious SSC "signature to the north (extensive) as SAL.

Example of more diverse SSC in northeast of title

Stratum	**Height (m)** **Cover (%)**	**Species** (underline = dominant, parentheses = sparse; + = present only)
Tall shrubs	4-7 m 5-10%	*Banksia marginata*
Medium shrubs	0.5-3 m 20%	*Monotoca elliptica, Banksia marginata, Acacia longifolia, Leucopogon parviflora, Acacia dealbata*
Low shrubs	<0.5 m 5%	*Hibbertia hirsuta, Kennedia prostrata, Carpobrotus rossii, Stenanthera pinifolium, Pimelea glauca, Scleranthus biflorus*
Grasses	20%	*Poa labillardierei, (Austrostipa flavescens), (Dichelachne crinita), (Imperata cylindrica)*
Graminoids	50%	*Ficinia nodosa, Dianella brevicaulis, Lepidosperma concavum, Lepidosperma gladiatum* [locally dense]
Herbs	5%	*Oxalis rubens, Cynoglossum australe, Hypochaeris radicata, Galium australe, Wahlenbergia littoricola, Acaena novae-zelandiae, Dichondra repens*
Ferns	<5%	*Pteridium esculentum*

APPENDIX B. Vascular plant species recorded from study area

Botanical nomenclature follows *A Census of the Vascular Plants of Tasmania* (de Salas & Baker 2022), with family placement updated to reflect the nomenclatural changes recognised in the *Flora of Tasmania Online* (de Salas 2022+) and APG (2016); common nomenclature follows *The Little Book of Common Names of Tasmanian Plants* (Wapstra et al. 2005+, updated online at www.nre.tas.gov.au).

i = naturalised species; p = native species but planted on site

DW = declared weed pursuant to Tasmanian *Weed Management Act 1999* (*Biosecurity Act 2019*)

Table B1. Summary of vascular species recorded from the subject title

	ORDER			
STATUS	**DICOTYLEDONAE**	**MONOCOTYLEDONAE**	**GYMNOSPERMAE**	**PTERIDOPHYTA**
	22	9	-	1
i	8	4	1	-
p	4			
Sum	**34**	**13**	**1**	**1**
TOTAL	**49**			

	DICOTYLEDONAE		
	AIZOACEAE		
	Carpobrotus rossii	native pigface	
	AMARANTHACEAE		
	Rhagodia candolleana subsp. *candolleana*	coastal saltbush	
	ASTERACEAE		
i	*Hypochaeris radicata*	rough catsear	
	Picris angustifolia subsp. *angustifolia*	lowland hawkweed	
	Senecio glomeratus subsp. *glomeratus*	shortfruit purple fireweed	
i	*Sonchus oleraceus*	common sowthistle	
i	*Taraxacum officinale*	common dandelion	
	BORAGINACEAE		
	Cynoglossum australe	coast houndstongue	
	CAMPANULACEAE		
	Wahlenbergia littoricola subsp. *littoricola*	shoreside bluebell	
	CARYOPHYLLACEAE		
i	*Cerastium semidecandrum*	little mouse-ear	
	Scleranthus biflorus	twinflower knawel	
	CASUARINACEAE		
p	*Allocasuarina verticillata*	drooping sheoak	
	CONVOLVULACEAE		
	Dichondra repens	kidneyweed	
	CRASSULACEAE		
	Crassula sieberiana	rock stonecrop	
	DILLENIACEAE		
	Hibbertia hirsuta	hairy guineaflower	
	ERICACEAE		
	Monotoca elliptica	tree broomheath	
	Stenanthera pinifolium	pine heath	
	FABACEAE		
	Acacia dealbata subsp. *dealbata*	silver wattle	
	Acacia longifolia subsp. *sophorae*	coast wattle	
	Kennedia prostrata	running postman	
i	*Trifolium subterraneum*	subterranean clover	
i	*Ulex europaeus*	gorse	DW
	GENTIANACEAE		
i	*Centaurium erythraea*	common centaury	
	MYRTACEAE		
p	*Eucalyptus viminalis* subsp. *viminalis*	white gum	

p	*Leptospermum laevigatum*	coast teatree
	OXALIDACEAE	
	Oxalis rubens	coast woodsorrel
	PLANTAGINACEAE	
i	*Plantago coronopus* subsp. *coronopus*	slender buckshorn plantain
	PROTEACEAE	
	Banksia marginata	silver banksia
	ROSACEAE	
	Acaena novae-zelandiae	common buzzy
	RUBIACEAE	
	Galium australe	coast bedstraw
	RUTACEAE	
p	*Correa alba* var. *alba*	white correa
	SAPINDACEAE	
	Dodonaea viscosa subsp. *spatulata*	broadleaf hopbush
	SCROPHULARIACEAE	
	Myoporum insulare	common boobialla
	THYMELAEACEAE	
	Pimelea glauca	smooth riceflower
	GYMNOSPERMAE	
	PINACEAE	
i	*Pinus radiata*	radiata pine
	MONOCOTYLEDONAE	
	AMARYLLIDACEAE	
	Dianella brevicaulis	shortstem flaxlily
	ASPARAGACEAE	
	Lomandra longifolia	sagg
	CYPERACEAE	
	Ficinia nodosa	knobby clubsedge
	Lepidosperma concavum	sand swordsedge
	Lepidosperma gladiatum	coast swordsedge
	POACEAE	
i	*Aira caryophyllea* subsp. *caryophyllea*	silvery hairgrass
i	*Ammophila arenaria* subsp. *arenaria*	marram grass
	Austrostipa flavescens	yellow speargrass
	Dichelachne crinita	longhair plumegrass
	Imperata cylindrica var. *major*	blady grass
i	*Lagurus ovatus*	harestail grass
	Poa labillardierei var. *labillardierei*	silver tussockgrass
i	*Vulpia fasciculata*	dune fescue
	PTERIDOPHYTA	
	DENNSTAEDTIACEAE	
	Pteridium esculentum subsp. *esculentum*	bracken

APPENDIX C. Analysis of database records of threatened flora

Table C1 provides a listing of threatened flora from within 5,000 m of the study area (nominal buffer width usually used to discuss the potential of a particular study area to support various species listed in databases), with comments on whether potential habitat is present for the species, and possible reasons why a species was not recorded.

Table C1. Threatened flora records from within 5,000 m of boundary of the study area

Species listed below are listed as rare (r), vulnerable (v), endangered (e), or extinct (x) on the Tasmanian *Threatened Species Protection Act 1995* (TSPA); vulnerable (VU), endangered (EN), critically endangered (CR) or extinct (EX) on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA). Information below is sourced from DNRET's *Natural Values Atlas* (DNRET 2022a) and other sources where indicated. Habitat descriptions are taken from FPA (2016), FPA (2017) and TSS (2003+), except where otherwise indicated. Species marked with # are listed in CofA (2022).

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
Acacia axillaris midlands wattle	v VU # only	*Acacia axillaris* is mainly confined to riparian habitats such as dense riparian scrub and associated floodplains but also extends to paddocks and open grassy forests in frost hollows and areas of poor drainage, but also occasionally occurs on rocky slopes (there is a somewhat anomalous population on the midslopes of Mt Barrow in the northeast). All populations are strongly associated with dolerite. Records outside the core of the range (e.g. Prosser River, Broad River, River Clyde) need to be treated carefully as they may represent the more recently described *Acacia derwentiana*.	Potential habitat absent.
Acacia ulicifolia juniper wattle	r -	*Acacia ulicifolia* is found in sandy coastal heaths and open heathy forest and woodland in the north and east of Tasmania. Populations are often sparsely distributed and most sites are near-coastal but it can occasionally extend inland (up to 30 km).	Potential habitat very marginally present in the small area mapped as SSC (albeit atypical of known sites). This shrub was not detected (no seasonal constraint on detection and/or identification).
Bertya tasmanica subsp. *tasmanica* tasmanian bertya	e EN # only	*Bertya tasmanica* subsp. *tasmanica* mainly occurs on riparian sites in the northern Midlands (e.g. St Pauls River) and east coast (e.g. Apsley River). It is associated with *Eucalyptus ovata–Callitris oblonga* forest on some sites. Other dominants include *E. rodwayi* and *E. viminalis*. A large population at Swanwick is atypical, with plants occurring within near-coastal vegetation dominated by *Allocasuarina verticillata (*drooping sheoak).	Potential habitat absent.
Caladenia caudata tailed spider-orchid	v VU # only	*Caladenia caudata* has highly variable habitat, which includes the central north: *Eucalyptus obliqua* heathy forest on low undulating hills; the northeast: *E. globulus* grassy/heathy coastal forest, *E. amygdalina* heathy woodland and forest, *Allocasuarina* woodland;	Potential habitat absent.

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
		and the southeast: *E. amygdalina* forest and woodland on sandstone, coastal *E. viminalis* forest on deep sands. Substrates vary from dolerite to sandstone to granite, with soils ranging from deep windblown sands, sands derived from sandstone and well-developed clay loams developed from dolerite. A high degree of insolation is typical of many sites.	
Conospermum hookeri tasmanian smokebush	v VU # only	*Conospermum hookeri* usually occurs in coastal and near-coastal heathland and heathy forest/woodland dominated by *Eucalyptus amygdalina* or *E. tenuiramis*. It extends from Bruny Island to the Furneaux islands, on granite or sandy, acid, low-nutrient soils. There are some inland occurrences in heathy *E. amygdalina* forest on granite substrates.	Potential habitat marginally present (albeit highly atypical of known sites). This shrub was not detected (no seasonal constraint on detection and/or identification).
Corunastylis nuda tiny midge-orchid	r -	*Corunastylis nuda* occurs in a wide range of habitats from near sea level to 1,000 m a.s.l., on a range of different soil types and geologies. Vegetation types include scrub, subalpine grassland, open rock plates, heathy open forest, shrubby dry sclerophyll forest and wet sclerophyll forest.	Potential habitat absent.
Dianella amoena grassland flaxlily	r EN # only	*Dianella amoena* occurs mainly in the northern and southern Midlands, growing in native grasslands and grassy woodlands.	Potential habitat absent.
Epacris barbata bearded heath	e EN # only	*Epacris barbata* is found only on Freycinet Peninsula and Schouten Island. It occurs exclusively on granite-based siliceous soils, growing in open heath and heathy woodland/forest in hilly and low-lying terrain.	Potential habitat absent.
Glycine latrobeana clover glycine	v VU # only	*Glycine latrobeana* occurs in a range of habitats, geologies and vegetation types. Soils are usually fertile but can be sandy when adjacent to or overlaying fertile soils. The species mainly occurs on flats and undulating terrain over a wide geographical range, including near-coastal environments, the Midlands, and the Central Plateau. It mainly occurs in grassy/heathy forests and woodlands and native grasslands.	Potential habitat absent.
Glycine microphylla small-leaf glycine	v -	*Glycine microphylla* occurs in dry to dampish sclerophyll forest and woodland in the north and east of the State, with outlying sites at Woolnorth.	Potential habitat marginally present. This perennial twiner was not detected (no seasonal constraint on detection and/or identification).
Gratiola pubescens hairy brooklime	v -	*Gratiola pubescens* is most commonly located in permanently or seasonally damp or swampy ground, including the margins of farm dams.	Potential habitat absent.

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
Lachnagrostis billardierei var. *tenuiseta* small-awn blowngrass	r -	*Lachnagrostis robusta* occurs in saline situations such as the margins of coastal and inland saline lagoons	Potential habitat absent.
Lasiopetalum micranthum tasmanian velvetbush	r -	*Lasiopetalum micranthum* occurs predominantly in open grassy forests and woodlands on dolerite-based ridges and slopes on the central east coast (e.g. forests dominated by *Eucalyptus amygdalina*). It can colonise track and road verges.	Potential habitat absent.
Lepidium hyssopifolium soft peppercress	e EN # only	The native habitat of *Lepidium hyssopifolium* is the growth suppression zone beneath large trees in grassy woodlands and grasslands (e.g. over-mature black wattles and isolated eucalypts in rough pasture). *Lepidium hyssopifolium* is now found primarily under large exotic trees on roadsides and home yards on farms. It occurs in the eastern part of Tasmania between sea-level to 500 metres a.s.l. in dry, warm and fertile areas on flat ground on weakly acid to alkaline soils derived from a range of rock types. It can also occur on frequently slashed grassy/weedy roadside verges where shade trees are absent.	Potential habitat absent.
Lepilaena marina sea watermat	r -	*Lepilaena marina* is restricted to sandy/muddy tidal flats and is associated with *Zostera muelleri* (eel grass), which is also a marine species.	Potential habitat absent.
Leucochrysum albicans subsp. *tricolor* grassland paperdaisy	e EN # only	*Leucochrysum albicans* subsp. *tricolor* occurs in the west and on the Central Plateau and the Midlands, mostly on basalt soils in open grassland. This species would have originally occupied *Eucalyptus pauciflora* woodland and tussock grassland, though most of this habitat is now converted to improved pasture or cropland.	Potential habitat absent.
Melaleuca pustulata warty paperbark	r -	*Melaleuca pustulata* occurs in a range of habitats including dry open woodland (often on dolerite in forests dominated by *Eucalyptus pulchella*), grassland and scrub, riparian zones and stable dunes in sparse coastal shrubbery. It is restricted to the State's Central East coast.	Potential habitat present. This shrub was not detected (no seasonal constraint on detection and/or identification).
Prasophyllum apoxychilum tapered leek-orchid	v EN # only	*Prasophyllum apoxychilum* is restricted to eastern and northeastern Tasmania where it occurs in coastal heathland or grassy and scrubby open eucalypt forest on sandy and clay loams, often among rocks. It occurs at a range of elevations and seems to be strongly associated with dolerite in the east and southeast of its range.	Potential habitat absent.

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
Pterostylis squamata ruddy greenhood	v -	*Pterostylis squamata* occurs in heathy and grassy open eucalypt forest, woodland and heathland on well-drained sandy and clay loams.	Potential habitat marginally present in the area of SSC in the northeast corner of the title. While there are nearby records of this species from the greater Dolphin Sands area, these are from *Eucalyptus viminalis – Eucalyptus globulus* coastal forest and woodland and coastal scrub both with a highly distinctive suite of understorey species and localised site features, the combination of which is only locally present within the subject title. The survey was conducted outside the flowering period of the species (Wapstra 2018), such that only leaves would have been detectable (none recorded). A further timed-targeted survey is not considered warranted because of the statistically very low likelihood of occurrence because the species has a highly disjunct distribution, usually occurs in very low numbers, the extent of potential habitat is highly restricted within the title and any such habitat is outside any areas likely to be developed.
Pterostylis ziegeleri grassland greenhood	v VU #	*Pterostylis ziegeleri* occurs in the State's south, east and north, with an outlying occurrence in the northwest. In coastal areas, the species occurs on the slopes of low stabilised sand dunes and in grassy dune swales, while in the Midlands it grows in native grassland or grassy woodland on well-drained clay loams derived from basalt.	Potential habitat marginally present. While there are numerous records of this species from the greater Dolphin Sands area, most of these are from *Eucalyptus viminalis – Eucalyptus globulus* coastal forest and woodland, coastal scrub and road verges, all with a highly distinctive suite of understorey species and localised site features, the combination of which is only marginally present within a small part of the title (northeast corner mapped as SSC). The survey was conducted within the the flowering period of the species (Wapstra 2018), with flowering confirmed at the nearby site on the verge of Dolphin Sands Road. The species was not detected from the title. A further timed-targeted survey is not considered warranted because of the statistically negligible likelihood of occurrence.
Ruppia megacarpa largefruit seatassel	r -	*Ruppia megacarpa* occurs in estuaries and lagoons along the east and southeast coasts, and brackish lagoons in the Midlands; there is also an historic record from the Tamar estuary in the States' north.	Potential habitat absent.
Ruppia tuberosa tuberous seatassel	r -	*Ruppia tuberosa* has been recorded from the State's southeast at Ralphs Bay and Blackman Bay, where it grows in holes and channels in saltmarshes.	Potential habitat absent.

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
Senecio psilocarpus swamp fireweed	e VU # only	*Senecio psilocarpus* is known from six widely scattered sites in the northern half of the State, including King and Flinders islands. It occurs in swampy habitats including broad valley floors associated with rivers, edges of farm dams amongst low-lying grazing/cropping ground, herb-rich native grassland in a broad swale between stable sand dunes, adjacent to wetlands in native grassland, herbaceous marshland and low-lying lagoon systems.	Potential habitat absent.
Spyridium lawrencei small-leaf dustymiller	v EN # only	*Spyridium lawrencei* occurs on the Central East Coast and the Eastern Midlands, with its main populations centred on the Swan, Apsley and St Pauls rivers, with an outlying population in the Three Thumbs area, south of Orford. The species mainly occurs in the zone between riparian vegetation, woodland or forest, and occasionally pasture. It also occurs on rock plates on forested slopes. It can be maintained by regular disturbances such as fire or flooding.	Potential habitat absent.
Spyridium vexilliferum var. *vexilliferum* helicopter bush	r -	*Spyridium vexilliferum* occurs in a range of vegetation types, including sandy heaths, rock plates and dry sclerophyll forest and woodland (mainly dominated by *Eucalyptus amygdalina*). It is found on a range of substrates (e.g. mudstone, granite, laterite gravels) from near-coastal areas in the east, north and west of the State, to the Midlands and lower Derwent Valley. It is most abundant in open or disturbed areas, as it can proliferate from soil-stored seed after disturbance.	Potential habitat absent.
Stenanthemum pimeleoides propeller plant	v VU # only	*Stenanthemum pimeleoides* is restricted to Tasmania's central East Coast and the Northern Midlands, where it occurs in dry sclerophyll forest or woodland with an open heathy or shrubby understorey. The topography tends to be flat to gently sloping.	Potential habitat absent.
Stenopetalum lineare narrow threadpetal	e -	*Stenopetalum lineare* typically grows in grass-covered low dunes but it also extends to scrub-covered dunes (coast wattle), and there is one inland site on a rocky outcrop in dry sclerophyll forest.	Potential habitat present. This perennial herb was not detected (no seasonal constraint on detection and/or identification).
Thryptomene micrantha ribbed heathmyrtle	v -	*Thryptomene micrantha* is restricted to near-coastal areas between Bicheno and the southern tip of the Freycinet Peninsula. It may form locally dense thickets on sands derived from Devonian granite, typically in coastal heathland or *Eucalyptus amygdalina* heathy woodland or forest on gently undulating lower slopes or flats.	Potential habitat very marginally present (atypical of known sites). This shrub was not detected (no seasonal constraint on detection and/or identification).

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
Trithuria submersa submerged watertuft	r -	*Trithuria submersa* occurs in the Northern Midlands, near-coastal areas in the east and northeast, King Island, Flinders Island and Cape Barren Island, with an isolated record from the Central Highlands. Habitat includes areas subject to flooding, such as the margins of wetlands, small watercourses, shallow temporary depressions and wet heathlands.	Potential habitat absent.
Viminaria juncea golden spray	e -	*Viminaria juncea* grows close to sea level in the Moulting Lagoon area on soils prone to periodic waterlogging and drying out in summer. The associated vegetation is generally a sedgy shrubland.	Potential habitat absent.
Wilsonia humilis silky wilsonia	r -	*Wilsonia humilis* is found in coastal and inland saltmarshes in the south and eastern parts of the State, and also Flinders Island.	Potential habitat absent.
Wilsonia rotundifolia roundleaf wilsonia	r -	*Wilsonia rotundifolia* is found in coastal and inland saltmarshes in the eastern part of the State.	Potential habitat absent.
Xanthorrhoea arenaria sand grasstree	v VU # only	*Xanthorrhoea arenaria* is restricted to coastal areas from Bridport in the northeast to Coles Bay on the East Coast, where it occurs in coastal sandy heathland, extending into heathy woodland and forest.	Potential habitat absent.
Xerochrysum palustre swamp everlasting	v VU # only	*Xerochrysum palustre* has a scattered distribution with populations in the northeast, east coast, Central Highlands and Midlands, all below about 700 m elevation. It occurs in wetlands, grassy to sedgy wet heathlands and extends to associated heathy *Eucalyptus ovata* woodlands. Sites are usually inundated for part of the year.	Potential habitat absent.

APPENDIX D. Analysis of database records of threatened fauna

Table D1 provides a listing of threatened fauna from within 5,000 m of the study area (nominal buffer width usually used to discuss the potential of a particular study area to support various species listed in databases), with comments on whether potential habitat is present for the species, and possible reasons why a species was not recorded.

Table D1. Threatened fauna records from 5,000 m of boundary of the study area

Species listed below are listed as rare (r), vulnerable (v), endangered (e), or extinct (x) on the Tasmanian *Threatened Species Protection Act 1995* (TSPA); vulnerable (VU), endangered (EN), critically endangered (CR) or extinct (EX) on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA). Information below is sourced from the DNRET's *Natural Values Atlas* (DNRET 2022a), Bryant & Jackson (1999) and FPA (2022); marine, wholly pelagic and littoral species such as marine mammals, fish and offshore seabirds are excluded. Species marked with # are listed in CofA (2022).

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on project area and database records**
Accipiter novaehollandiae grey goshawk	e -	Potential habitat is native forest with mature elements below 600 m altitude, particularly along watercourses. Significant habitat for the grey goshawk may be summarised as areas of wet forest, rainforest and damp forest patches in dry forest, with a relatively closed mature canopy, low stem density, and open understorey in close proximity to foraging habitat and a freshwater body.	Potential habitat absent, except in a very general sense. The species may very occasionally utilise the greater title area as part of a home range and for foraging but small-scale development should not have a significant impact on this aspect of the life history of the species.
Antipodia chaostola tax. *leucophaea* chaostola skipper	e EN #	Potential habitat is dry forest and woodland supporting *Gahnia radula* (usually on sandstone and other sedimentary rock types) or *Gahnia microstachya* (usually on granite-based substrates).	Potential habitat absent, as both species of *Gahnia* are not present.
Apus pacificus fork-tailed swift	- - # only	Seasonal migrant (December through March) with habitat open skies over any habitat, more commonly associated with forested hills and mountains (McNab 2018).	Potential habitat widespread but this is a species that flies at high altitude, very fast and highly mobile, feeding on the wing and virtually never perches (McNab 2018). This species should not require further consideration.
Aquila audax subsp. *fleayi* wedge-tailed eagle	e EN #	Potential nesting habitat is tall eucalypt trees in large tracts (usually more than 10 ha) of eucalypt or mixed forest. Nest trees are usually amongst the largest in a locality. They are generally in sheltered positions on leeward slopes, between the lower and mid sections of a slope and with the top of the tree usually lower than the ground level of the top of the ridge, although in some parts of the State topographic shelter is not always a significant factor (e.g. parts of the northwest and Central Highlands).	Potential nesting habitat absent. No known nests within 1,000 m of subject title; all surrounding vegetation of similar low scrub form as within subject title. The species may utilise the greater title area as part of a home range and for foraging but small-scale development should not have a significant impact on this aspect of the life history of the species.
Botaurus poiciloptilus Australasian bittern	- EN # only	Potential habitat is comprised of wetlands with tall dense vegetation, where it forages in still, shallow water up to 0.3 m deep, often at the edges of	Potential habitat absent.

Scientific name Common name	Status TSPA EPBCA	Tasmanian habitat description (and distribution)	Comments on project area and database records
		pools or waterways, or from platforms or mats of vegetation over deep water. It favours permanent and seasonal freshwater habitats, particularly those dominated by sedges, rushes and reeds or cutting grass growing over a muddy or peaty substrate (TSSC 2011).	
Bubulcus coromandus [syn. *B. ibis*, *Ardea ibis*] cattle egret	- - # only	Seasonal migrant (April through October) with habitat agricultural lands, crops, dams, pastures, particularly those with cattle, mudflats and wetlands (McNab 2018).	Potential habitat absent.
Ceyx azureus subsp. *diemenensis* [syn. *Alcedo azurea* subsp. *diemenensis*] Tasmanian azure kingfisher	e EN # only	Potential foraging habitat is primarily freshwater (occasionally estuarine) waterbodies such as large rivers and streams with well-developed overhanging vegetation suitable for perching and water deep enough for dive-feeding. Potential breeding habitat is usually steep banks of large rivers (a breeding site is a hole (burrow) drilled in the bank).	Potential habitat absent. No ephemeral or permanent flowing waterbodies present.
Dasyurus maculatus subsp. *maculatus* spotted-tailed quoll	r VU #	Potential habitat is coastal scrub, riparian areas, rainforest, wet forest, damp forest, dry forest and blackwood swamp forest (mature and regrowth), particularly where structurally complex and steep rocky areas are present, and includes remnant patches in cleared agricultural land.	Potential habitat marginally present. No evidence (e.g. scats) of the species was observed. The site is unlikely to support dens of the species because of the understorey lacking substantial large coarse woody debris, rock piles, and wombat burrows. The species may utilise the greater title area as part of a home range and for foraging but development at the scale proposed and within the context of surrounding land uses should not have a significant impact on potential habitat of the species.
Dasyurus viverrinus eastern quoll	- EN #	Potential habitat is a variety of habitats including rainforest, heathland, alpine areas and scrub. However, it seems to prefer dry forest/native grassland mosaics which are bounded by agricultural land.	Potential habitat present. See under spotted-tailed quoll.
Galaxias fontanus Swan galaxias	e EN	Potential habitat is slow to moderately fast flowing streams containing permanent water (even when not flowing), which have good instream cover from overhanging banks and/or logs, and shade from overhanging vegetation. A population can only be maintained where barriers have prevented establishment of trout and redfin perch. The nature of these barriers is variable and can include permanent natural structures such as waterfalls and chutes and also low flow-dependent features such as marshes, ephemeral water-losing and remnant channels, braided channel floodplain features.	The site is outside the catchment of the Apsley River. The site does not include any flowing watercourses.

Scientific name Common name	Status TSPA EPBCA	Tasmanian habitat description (and distribution)	Comments on project area and database records
Gallinago hardwickii Lathams snipe	- - # only	Seasonal migrant that prefers brackish, fresh and saline habitats including lagoons, lakes, marshes, swamps, wet grasslands and paddocks and wetlands with tussockgrasses (McNab 2018).	Potential habitat absent. This species should not require further consideration.
Haliaeetus leucogaster white-bellied sea-eagle	v -	Potential habitat comprises potential nesting habitat and potential foraging habitat. Potential foraging habitat is any large waterbody (including sea coasts, estuaries, wide rivers, lakes, impoundments and even large farm dams) supporting prey items (fish). Potential nesting habitat is tall eucalypt trees in large tracts (usually more than 10 ha) of eucalypt or mixed forest within 5 km of the coast (nearest coast including shores, bays, inlets and peninsulas), large rivers (class 1), lakes or complexes of large farm dams.	Potential nesting habitat absent. No known nests within 1,000 m of subject title; all surrounding vegetation of similar low scrub form as within subject title. The species may utilise the greater title area as part of a home range and for foraging (although this would be mainly over open water) but small-scale development should not have a significant impact on this aspect of the life history of the species.
Hirundapus caudacutus white-throated needletail	- VU #	Seasonal migrant (December through March) with habitat open skies over any habitat, more commonly associated with forested hills and mountains (McNab 2018).	***Potential habitat*** widespread but this is a species that flies at high altitude, very fast and highly mobile, feeding on the wing and virtually never perches (McNab 2018). This species should not require further consideration.
Lathamus discolor swift parrot	e CR #	Potential foraging habitat comprises *E. globulus* or *E. ovata* trees that are old enough to flower. Potential nesting habitat is considered to comprise eucalypt forests that contain hollow-bearing trees.	*Eucalyptus ovata* is absent so this aspect of potential foraging habitat is not present. *Eucalyptus globulus* is absent so this aspect of potential foraging habitat is not present. The site supports no trees so potential breeding habitat is not present.
Litoria raniformis green and golden frog	v VU #	Potential habitat is permanent and temporary waterbodies, usually with vegetation in or around them, including features such as natural lagoons, permanently or seasonally inundated swamps and wetlands, farm dams, irrigation channels, artificial water-holding sites such as old quarries, slow-flowing stretches of streams and rivers and drainage features.	Potential habitat absent. No ephemeral or permanent waterbodies or drainage features present.
Myiagra cyanoleuca satin flycatcher	- - # only	Seasonal migrant (November through march) with habitat scrub, wet and dry sclerophyll forests, woodlands and creeklines (McNab 2018).	Potential habitat marginally present. This is a spring-summer migrant that may occasionally utilise the greater study area for foraging and possibly nesting. It is unlikely that the proposal will have a significant impact on this species, provided a network of native vegetation is retained (e.g. streamside reserves).
Neophema chrysostoma blue-winged parrot	- - # only	Seasonal migrant (October through April) with habitat agricultural lands, crops, dams, paddocks, coastal scrub, open grassy woodlands, heathland and saltmarshes (McNab 2018).	See under satin flycatcher.

Scientific name Common name	Status TSPA EPBCA	Tasmanian habitat description (and distribution)	Comments on project area and database records
Pardalotus quadragintus forty-spotted pardalote	e EN	Potential habitat is any forest and woodland supporting *E. viminalis* where the canopy cover of *E. viminalis* is greater than or equal to 10% or where *E. viminalis* occurs as a localised canopy dominant or co-dominant in patches exceeding 0.25 ha.	Potential habitat absent. *Eucalyptus viminalis* is absent (except as two planted individuals less than 2 m tall adjacent to the existing shed).
Perameles gunnii subsp. *gunnii* eastern barred bandicoot	- VU #	Potential habitat is open vegetation types including woodlands and open forests with a grassy understorey, native and exotic grasslands, particularly in landscapes with a mosaic of agricultural land and remnant bushland. Significant habitat is dense tussock grass-sagg-sedge swards, piles of coarse woody debris and denser patches of low shrubs (especially those that are densely branched close to the ground providing shelter) within the core range of the species.	Potential habitat present. The species may utilise the greater area as part of a home range and for foraging but small-scale development should not have a significant impact on this aspect of the life history of the species. Development may manifestly benefit the species by creating open areas suitable for foraging.
Prototroctes maraena Australian grayling	v VU #	Potential habitat is all streams and rivers in their lower to middle reaches. Areas above permanent barriers (e.g. Prosser River dam, weirs) that prevent fish migration, are not potential habitat.	Potential habitat absent. No ephemeral or permanent flowing waterbodies present.
Pseudemoia pagenstecheri tussock skink	v -	Potential habitat comprises native grasslands dominated by tussock-forming grasses.	Potential habitat absent. Native grassland is absent.
Pseudemoia rawlinsoni glossy grass skink	r -	Potential habitat is wetlands and swampy sites (including grassy wetlands, teatree swamps and grassy sedgelands), and margins of such habitats.	Potential habitat absent (no swampy habitats present).
Pseudomys novaehollandiae New Holland mouse	e VU #	Potential habitat is heathlands (mainly dry heathlands but also where dry heathlands form a mosaic with other heathland, moorland and scrub complexes), heathy woodlands (i.e. eucalypt canopy cover 5-20%), *Allocasuarina*-dominated forests on sandy substrates (not dolerite or basalt), and vegetated sand dunes. Key indicator plant species include (but are not restricted to) *Aotus ericoides*, *Lepidosperma concavum*, *Hypolaena fastigiata* and *Xanthorrhoea* spp.	Potential habitat absent (not heathland or heathy woodland and none of the indicator species present).
Sarcophilus harrisii Tasmanian devil	e EN #	Potential habitat is all terrestrial native habitats, forestry plantations and pasture. Devils require shelter (e.g. dense vegetation, hollow logs, burrows or caves) and hunting habitat (open understorey mixed with patches of dense vegetation) within their home range (4-27 km^2). Potential denning habitat is areas of burrowable, well-drained soil, log piles or sheltered overhangs such as cliffs, rocky outcrops, knolls, caves and earth banks, free from risk of inundation and with at least one entrance through which a devil could pass.	Potential habitat present. See under spotted-tailed quoll.

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on project area and database records**
Theclinesthes serpentata subsp. *lavara* chequered blue	r -	Potential habitat is saltmarshes, and beach and coastal habitats, supporting food plants including *Rhagodia candolleana* (coastal saltbush) and species of *Atriplex*.	Potential habitat absent. The site is not saltmarsh. *Rhagodia candolleana* is present but the site is atypical of known sites for the butterfly.
Tyto novaehollandiae subsp. *castanops* masked owl	e VU #	Potential habitat is all areas with trees with large hollows (≥15 cm entrance diameter). Remnants and paddock trees (in any dry or wet forest type) in agricultural areas may constitute potential habitat. Significant habitat is any areas within the core range of native dry forest with trees over 100 cm dbh with large hollows (≥15 cm entrance diameter).	Potential nesting habitat absent. Large trees with large hollows are absent from the title. The species may utilise the greater title area as part of a home range and for foraging but small-scale development should not have a significant impact on this aspect of the life history of the species.

APPENDIX E. DNRET's *Natural Values Atlas* report for the study area

Appended as pdf file.

APPENDIX F. Forest Practices Authority's *Biodiversity Values Atlas* report for the study area

Appended as pdf file.

APPENDIX G. CofA's *Protected Matters* report for the study area

Appended as pdf file.

ATTACHMENTS

- .shp/.dwg file of revised vegetation
- .shp/.dwg/xlsx file of point location of weeds

Rep 1 –

Dear General Manager,

I wish to submit this representation against SA2022/034 - 4 Lot Subdivision at RA945 Dolphin Sands Road, Dolphin Sands.

I am aware that there is a current draft amendment to the LPS submitted by GSBC to the TPC (AM-GLA-AM-2022-02) to amend clause GSB-P1.7.1 with the intent of preventing further residential subdivision in Dolphin Sands, just as the situation was before the word “or” was unintentionally included in the relevant clause of the LPS.

The reasons for my representation against the subdivision application are the same as the reasons that I provided against the subdivision application at RA907 Dolphin Sands Road in 2022, an application which GSBC councillors (as the planning authority) unanimously rejected. These reasons are consistent with my submissions to GSBC and the TPC regarding draft amendment AM2022-02.

I have copied my representation regarding the subdivision application at RA907 Dolphin Sands Road here and also my further submissions to Council and the TPC regarding AM2022-02, which in total give my reasons for my representation against the current application for subdivision.

Yours sincerely,

Attachment 1 –

13th July 2022

Dear General Manager,

I am writing to bring to your attention an anomaly in relation the application for a 4 lot sub-division at RA907 Dolphin Sands Road, Dolphin Sands, as advertised on Council's website. On the basis of this anomaly, this email is in effect a representation against the sub-division as I believe that the Performance Criteria used as the basis for the proposal are flawed.

The Performance Criteria that have been used for the proposed sub-division are based on the **GSB-P1.7.1 Development standards for Subdivision** under the **Tasmanian Planning Scheme – Glamorgan Spring Bay** that came into use on 30th March 2022.

I have checked these current criteria against the previous **Glamorgan Spring Bay Interim Planning Scheme 2015** that it replaced, and it appears that there has been a very significant change to the Performance Criteria regarding subdivisions in Dolphin Sands.

The inclusion of the word "or" after clause GSB-P1.7.1 Subdivision P1(a) effectively makes 1ha sub-divisions with frontages of greater than 60m permissible anywhere in Dolphin Sands. Further, this inclusion results in a non-sensical situation where the intent of the Performance Criteria is lost as it effectively gives a choice between creation of public spaces and residential development with certain sizes and frontages.

As a resident of Dolphin Sands over the last 2 ½ years, my understanding was that sub-division of residential land for further residential development was not permissible in Dolphin Sands, unless the subdivision was to create public parks, reserves or the like for services. Even then, there were size and frontage limitations to the created lots. There has certainly not been any community consultation regarding changing the zoning rules to more broadly permit residential 1ha sub-divisions in Dolphin Sands. Further, my initial research of the TPC website indicates that there is not any record of this amendment in the log of changes that the TPC considered and approved in moving to the new GSB Planning Scheme. Surely, this change would have drawn attention and necessitated discussion, had it been intended.

I am assuming that this change, which is small in content, but massive in impact, resulted from an error that has slipped through the system.

If my assumption is correct, my guidance is that Council needs to act with speed to highlight, take responsibility for and correct this error to limit the damages that Council and Dolphin Sands property owners might suffer. Council's action should include not approving the sub-division at 907 Dolphin Sands Road and re-imbursing the applicants if they have had costs to date in preparing and submitting their application.

I have copied in a broader distribution on this email as it is a matter that impacts all of those who participated in the process of developing, approving and implementing the currently approved Planning Scheme.

I look forward to a rapid, sensible and positive response to this email, including confirmation of my assumption that the change to the Performance Criteria was an error and that Council has the matter in hand.

Regards,

Attachment 2 –

12 January 2023

Dear General Manager,

I wish to make a representation in support of GSBC's proposed amendment AM2022-02 to the Glamorgan Spring Bay Local Provisions Schedule, Dolphin Sands PPZ.

As a resident of Dolphin Sands over the last ~3years, it is clear to me that the inclusion of the word "or" in the development standards was an error and importantly was not intended.

My understanding was that sub-division of residential land for further residential development was not permissible in Dolphin Sands, unless the subdivision was to create public parks, reserves or the like for services, with size and frontage limitations on the created lots. The intent of the development standards for Dolphin Sands is made clear in the previous provisions under the Glamorgan Spring Bay Interim Planning Scheme 2015 and the Glamorgan Spring Bay Planning Scheme 1994.

I also understand that the current planning provisions are the result of moving to The Tasmanian Planning Scheme – Glamorgan Spring Bay (the combination of the Local Provisions Schedule and the State Planning Provisions) that formally came into effect for Glamorgan Spring Bay Local Government area on 30 March 2022 and replaced the former Glamorgan Spring Bay Interim Planning Scheme 2015.

There has certainly not been any community consultation regarding changing the zoning rules to more broadly permit residential 1ha sub-divisions in Dolphin Sands. Further, my initial research of the TPC website indicates that there is not any record of this amendment in the log of changes that the TPC considered and approved in moving to the new GSB Planning Scheme. Surely, this change would have drawn attention and necessitated recording and discussion, had it been intended.

There is also no public record of GSBC specifically considering this very significant change to the intent and impact on the Dolphin Sands development standards.

Further, this inclusion of the word "or" results in a non-sensical situation where the intent of the Performance Criteria is lost as it effectively gives a choice between creation of public spaces and residential development to meet the development standards.

Errors have consequences and I have no doubt that for the applications that were made under the erroneously published development standards, some party or parties will be responsible for the

applicant's costs associated with preparing and making the submissions to meet published criteria that were incorrect.

However, the responsibility and compensation for making of the error should not cloud the consideration of whether this change to the development standards was ever intended. It was clearly never intended and should be corrected accordingly in order to maintain the integrity and intent of the planning provisions for Dolphin Sands.

Regards,

Attachment 3 –

Friday 21th July 2023

Tasmanian Planning Commission
GPO Box 1691
Hobart TAS 7001

Email submission: tpc@planning.tas.gov.au

Dear Sir / Madam,

Re – Glamorgan Spring Bay Draft Amendment AM2022-02

I am a resident of Dolphin Sands and have made previous representations regarding this matter. I have still yet to see evidence that the changes to the LPS which has prompted the current draft amendment AM2022-02 was anything more than an error, as demonstrated by it being:

- never planned
- never proposed
- never considered
- never discussed
- never logged
- never reported

In summary, it appears that the change (inclusion of the word "or" after one sub-clause and "and" after another) was **never intended** by any of the planning authorities and indeed created a choice under the Performance Criteria that was illogical and contradictory to the planning objectives.

The fact that the overlying objectives for the Dolphin Sands area had not changed substantially over a long period of time supports the proposition that this was an administrational error and has created a situation where the sub-division provisions are not aligned to nor supportive of the objectives.

In summary, I believe that this error should not be treated as a planning matter.

However, even as a planning matter, the overall planning objectives for Dolphin Sands are, and have been for many years under prior planning schemes, clear in highlighting the need to protect the area. The objectives are:

GSB-P1.1.1 To protect the environmentally fragile nature of the Dolphin Sands area particularly with respect to land stability, vegetation, wildlife and landscape amenity.
GSB-P1.1.2 To ensure that use or development has minimal disturbance to the natural environment and visual amenity of the area.

These appear to be the type of objectives (with underlying objectives and provisions such as the DRAFT amendment AM2022-02 currently under consideration) that are permissible under Section 32 (4) (a) and (b) of the Act. It seems unusual that the TPC has required GSBC at this stage to provide evidence supporting this position.

Likewise, the unintended change to the LPS that permitted further residential sub-division would seem to be at odds with and contradictory to these objectives, particularly without detailed consideration and study before the previous grammar change was made.

The arguments introduced by the Surveyor of the representors against the amendment only seem to have arisen post the change in grammar i.e. that Dolphin Sands is "like" Cambria Estate and that the Natural Assets Code should be more universally applied to retrospectively justify infill sub-division and greater densities in Dolphin Sands. The probability is that there were not any sub-division applications made or submitted in Dolphin Sands prior to the inclusion of the grammar change because the rules were clear, although the argument to consider other codes and nearby area densities could have been put forward at that time if it was so obvious and reasonable. Perhaps the TPC should ask GSBC how many sub-division applications there were in Dolphin Sands prior to the unintended grammar change.

As a taxpayer, it pains me to see already scarce and stretched resources being deployed on a matter like this with a long and protracted process.

As a ratepayer and property owner living in Dolphin Sands for the last 3 ½ years, I can confirm that the current density of permitted development is what we expected from this area based on the objectives and regulations in place when we purchased. It seems a fitting density of development given the:

- Need for site-based septic systems
- Aquifer underlying the entire area which is the water supply for many of the residential blocks
- Extensive flora and fauna of the area
- Visual amenity provided
- Potential increased fire hazard from increased population densities, in an area that has limited egress routes

The current development in the area is the effect of the planning provisions that have been in place over many years with the intent of protecting a relatively sensitive area.

In summary, I seek the TPC's support in approving the draft amendment which will align (actually re-align) the planning provisions with the intent of the planning objectives and with the expectations of the residents and ratepayers of Dolphin Sands.

Yours faithfully.

Rep 2 -

Glamorgan Spring Bay Council

Planning Department

SA 2022/034

3-0800-295

11 August 2023

Dear Sir/Madam

Development Application 945 Dolphin Sands Road

CT 54666/148

Thank you for your advice regarding the above development application.

We wish to submit our comments on the application and respectfully request Council to decline approval.

1. If approved, the application would set a precedent for the large number of residential blocks along Dolphin Sands Road. Many of them would wish to subdivide in the same way. This would completely change the nature of the area from being low density housing to medium density.
2. Subdivision adds to traffic volumes along a lightly sealed road not built for frequent traffic and would impose additional safety hazards and noise on residents.
3. Subdivision adds to the sewerage load on the area from septic tank disposals and could reach unhealthy levels.
4. Subdivision increases risk of fires starting and more people being at risk in a known hazardous area.
5. The existing amenity of the area is in good balance with the natural environment and should not be further overloaded.
6. We do not want more people located across the road from our house and trying to reach the beach through our property.

Further we understand this application contravenes the planning rule made by Council and recommended to State Planning. Further subdivision along Dolphin Sands Road should not be approved.

Yours sincerely

Rep 3 –

Mr Greg Ingham
General Manager
Glamorgan Spring Bay Council

Dear Mr Ingham

I would like to submit a representation on current subdivision application numbers SA2022 - 031 for RA1433 Dolphin Sands Road, and SA2022 - 034 for RA945 Dolphin Sands Road.

The applications are both made by PDA Surveyors, Engineers and Planners seeking to subdivide 3.764ha and 12.14ha sites respectively into 7 separate sites as small as 1.104ha.

PDA are currently party to a hearing before the Tasmanian Planning Commission directly relating to an issue affecting GSB-P1.7-Subdivision under the Dolphin Sands Particular Purpose Zone local provision of the Tasmanian Planning Scheme. Specifically, the Performance Criteria P1 part (a) which carries an incorrectly placed word "or". This word did not appear in the past versions, and an amendment AM2022-02 is currently being heard by the TPC to rectify the identified error.

Dolphin Sands is widely recognised as being a fragile environment. Any decisions relating to the number and size of subdivisions (and subsequently, developments) warrant increased scrutiny and caution. In the words of the TPC (DOC/23/92876), it would be a natural injustice to make a planning decision without first being able to fully investigate all sides to this pending amendment.

Given the direct involvement of PDA in the current TPC hearing, and that Glamorgan Spring Bay Council have also made a submission to the TPC in relation to AM2022-02, I submit that no subdivision applications (including SA2022 - 031 and SA2022- 034) be approved, pending the outcome of the current TPC hearing. After such time, the applications should then be re-advertised to allow community members to submit any representations (for or against) based on AM2022-02 being adopted or otherwise.

Thank you.

GLAMORGAN/SPRING BAY COUNCIL

NOTICE OF PROPOSED DEVELOPMENT

Notice is hereby given that an application has been made for planning approval for the following development:

SITE: **RA1433 Dolphin Sands Road, Dolphin Sands CT 54666/206**

PROPOSAL: **3 Lot Subdivision**

Any person may make representation on the application(s) by letter (PO Box 6, Triabunna) or electronic mail (planning@freycinet.tas.gov.au) addressed to the General Manager. Representations must be received before midnight on 17 August 2023.

APPLICANT:	**PDA Surveyors**
DATE:	**26/07/2022**
APPLICATION NO:	**SA 2022 / 031**

GLAMORGAN SPRING BAY COUNCIL

9 Melbourne Street (PO Box 6)
Triabunna TAS 7190
03 6256 4777
03 6256 4774
admin@freycinet.tas.gov.au
www.gsbc.tas.gov.au

Application for Planning Approval

OFFICE USE ONLY			
DATE RECEIVED:		PID:	
FEE:		RECEIPT NUMBER:	
DA:		PROPERTY FILE:	

Advice:

Use this form for all no permit required, permitted and discretionary planning applications including subdivision as well as for planning scheme amendment & minor amendments to permits.

Completing this form in full will help ensure that all necessary information is provided and avoid any delay. The planning scheme in clause 6.0 provides details of other information that may be required. A checklist of application documents is provided on page 4 of this form.

Often, it is beneficial to provide a separate written submission explaining in general terms what is proposed and why and to justify the proposal against any applicable performance criteria.

If you have any queries with the form or what information is required, please contact the office.

Details of Applicant and Owner			
Applicant:	PDA Surveyors, Engineers & Planners (OBO Peter Rooke)		
Contact person: (if different from applicant)	Jane Monks		
Address:	127 Bathurst Street		
Suburb:	Hobart	Post Code:	7000
Email:	jane.monks@pda.com.au	Phone: / Mobile:	62343217

Note: All correspondence with the applicant will be via email unless otherwise advised

Owner (if different from applicant)	Bettina Joy Prehn		
Address:			
Suburb:		Post Code:	
Email:		Phone: / Mobile:	

Details of Site *(Note: If your application is discretionary, the following will be placed on public exhibition)*			
Address of proposal:	1433 Dolphin Sands Road		
Suburb:	Dolphin Sands	Post Code:	7190
Size of site: (m^2 or Ha)	3.764ha+/-		
Certificate of Title(s):	54666/206		
Current use of site:	Residential		

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General Application Details *Complete for All Applications*		
Proposal details:	Subdivision: 2 lot and balance	
Estimated value of works: (design & construction)		$
How will stormwater from buildings and hardstand areas be managed? *(Details must be clearly shown / noted on plans)*	Discharge to a main	
	Discharge to kerb & gutter	
	Discharge to roadside table drain	
	Discharge to natural watercourse	
	Retained on site	

For all Non-Residential Applications	
Hours of Operation	
Number of Employees	
Describe any delivery of goods to and from the site, including the types of vehicles used and the estimated average weekly frequency	
Describe any hazardous materials to be used or stored on site	
Type & location of any large plant or machinery used (refrigeration, generators)	
Describe any retail and/or storage of goods or equipment in outdoor areas	

Personal Information Protection Statement

The personal information requested will be managed in accordance with the *Personal Information Protection Act 2004*. The personal information is being collected by Glamorgan Spring Bay Council for the purposes of managing, assessing, advising on, and determining the relevant application in accordance with the *Land Use Planning and Approvals Act 1993*(LUPPA) and other related purposes, including for the purpose of data collection.

The information may be shared with contractors and agents of the Council for this purpose, law enforcement agencies, courts and other organisations and it may also be made publicly available on the Council's website and available for any person to inspect in accordance with LUPAA. If you do not provide the information sought, Council will be unable to accept and/or process your application.

GLAMORGAN SPRING BAY COUNCIL

9 Melbourne Street (PO Box 6)
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Applicant Declaration

I/we hereby apply for planning approval to carry out the use or development described in this application and the accompanying documents and declare that:

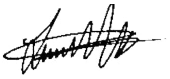
- The information in this application is true and correct.
- I/we authorise Council employees or consultants to enter the site to assess the application.
- I/we have obtained all copy licences and permission from the copyright owner for the publication, communication and reproduction of the application and reports, plans and materials provided as part of the application and for the purposes of managing, assessing, advising on, and determining the application.

I/we authorise the Council to:

- Make available the application and all information, reports, plans, and materials provided with or as part of the application in electronic form on the Council's website and in hard copy at the Council's office and other locations for public exhibition if and as required;
- Make such copies of the application and all information, reports, plans and materials provided with or as part of the application which are, in the Council's opinion, necessary to facilitate a consideration of the application;
- Publish and or reproduce the application and all information, reports, plans and materials provided with or as part of the application in Council agendas, for representors, referral agencies and other persons interested in the application; and
- provide a copy of any documents relating to this application to any person for the purpose of assessment or public consultation and agree to arrange for the permission of the copyright owner of any part of this application to be obtained.

You indemnify the Council for any claim or action taken against the Council for breach of copyright in respect of the application and all information, report, plan, and material provided with or as part of the application.

I/We declare that the Owner has been notified of the intention to make this application in accordance with section 52(1) of *the Land Use Planning and Approvals Act 1993.*

Applicant Signature:		Date:	26/7/22

Owners Consent required if application is on or affects Council or Crown owned or administered land

I declare that I have given permission for the making of this application for use and/or development.

Council General Manager or delegate Signature:		Date:	

If land affected by this application is owned or administered by the Crown or Council, then the written permission of the relevant Minister (or their delegate) and/or the General Manager must be provided. For Crown land, a copy of the instrument of delegation must be provided.

It is the applicant's responsibility to obtain any owners consent prior to lodgement. Written requests for Council consent are via the General Manager. Request for Ministerial consent is to be directed to the relevant department.

GLAMORGAN SPRING BAY COUNCIL

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Checklist of application documents:

Taken from Section 6 of the Planning Scheme

An application must include:

(a) a signed application form;
(b) any written permission and declaration of notification required under s.52 of the Act and, if any document is signed by the delegate, a copy of the delegation;
(c) details of the location of the proposed use or development;
(d) a copy of the current certificate of title for all land to which the permit sought is to relate, including the title plan; and
(e) a full description of the proposed use or development.

In addition to the information that is required by clause 6.1.2, a planning authority may, in order to enable it to consider an application, require such further or additional information as the planning authority considers necessary to satisfy it that the proposed use or development will comply with any relevant standards and purpose statements in the zone, codes or a specific area plan, applicable to the use or development including:

(a) any schedule of easements if listed in the folio of the title and appear on the plan, where applicable;
(b) a site analysis and site plan at a scale acceptable to the planning authority showing, where applicable:
    (i) the existing and proposed use(s) on the site;
    (ii) the boundaries and dimensions of the site;
    (iii) topography including contours showing AHD levels and major site features;
    (iv) natural drainage lines, watercourses and wetlands on or adjacent to the site;
    (v) soil type;
    (vi) vegetation types and distribution including any known threatened species, and trees and vegetation to be removed;
    (vii) the location and capacity and connection point of any existing services and proposed services;
    (viii) the location of easements on the site or connected to the site;
    (ix) existing pedestrian and vehicle access to the site;
    (x) the location of existing and proposed buildings on the site;
    (xi) the location of existing adjoining properties, adjacent buildings and their uses;
    (xii) any natural hazards that may affect use or development on the site;
    (xiii) proposed roads, driveways, parking areas and footpaths within the site;
    (xiv) any proposed open space, common space, or facilities on the site; and
    (xv) proposed subdivision lot boundaries;
(c) where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 as required by the planning authority showing, where applicable:
    (i) the internal layout of each building on the site;
    (ii) the private open space for each dwelling;
    (iii) external storage spaces;
    (iv) parking space location and layout;
    (v) major elevations of every building to be erected;
    (vi) the relationship of the elevations to existing ground level, showing any proposed cut or fill;
    (vii) shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites; and
    (viii) materials and colours to be used on roofs and external walls.

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
54666	206
EDITION	DATE OF ISSUE
5	16-May-2006

SEARCH DATE : 25-Jul-2022
SEARCH TIME : 11.44 AM

DESCRIPTION OF LAND

Parish of CAMBRIA, Land District of GLAMORGAN
Lot 206 on Sealed Plan 54666 (formerly being SP2798)
Derivation : Part of Lot 36 Gtd to G Meredith
Prior CT 2699/43

SCHEDULE 1

(C560488) C716865 BETTINA JOY PREHN Registered 16-May-2006 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 54666 BENEFITING EASEMENTS: Rights of Carriageway in Schedule of Easements
SP 54666 FENCING PROVISION in Schedule of Easements

UNREGISTERED DEALINGS AND NOTATIONS

M980203 PRIORITY NOTICE reserving priority for 90 days
TRANSFER Bettina Joy Prehn to Peter Donald Rooke
Lodged by MCMULLEN LAWYERS on 12-Jul-2022 BP: M980203

REGISTERED NUMBER
54666

INDEX PLAN
SEE ALSO 8 ANNEXURES

LAND DISTRICT C

PARISH OF

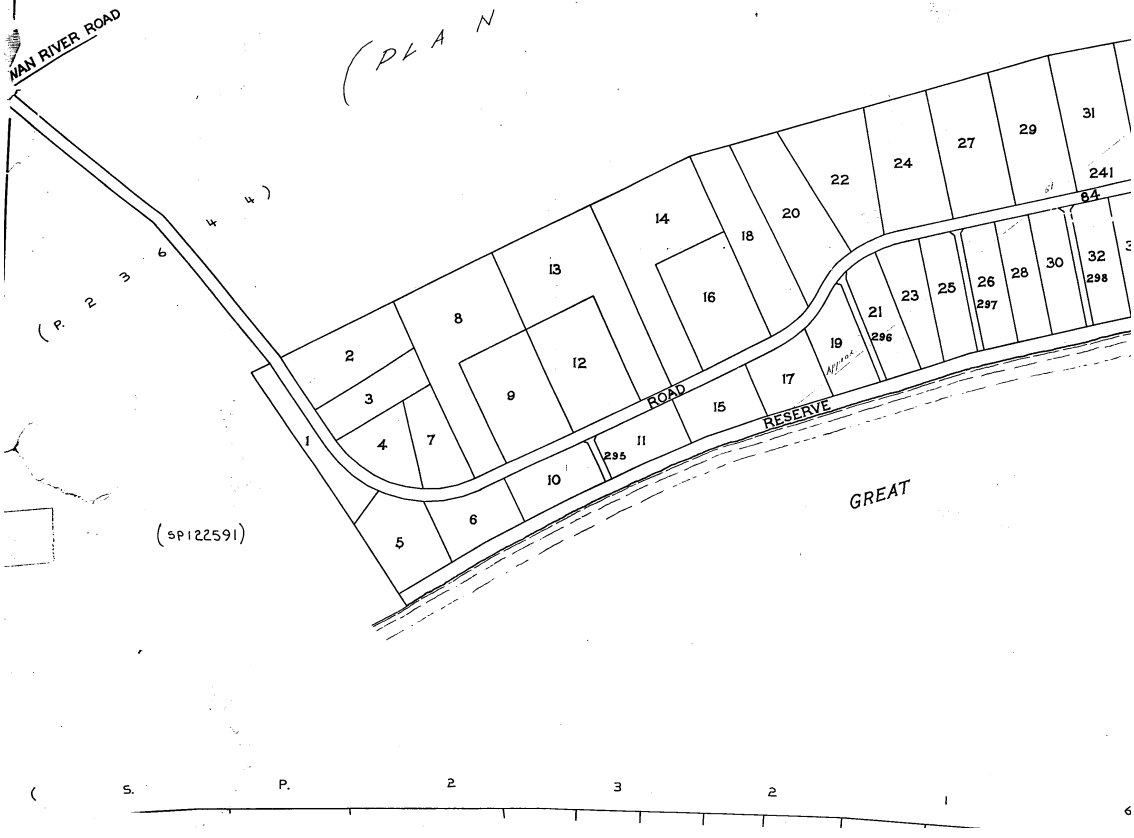
PART OF 2674 · 0 · 0 GTD.
PART OF LOT 36, 2715 · 0 · 0 GE

SCALE :- 500 FEET TO

C. H. I. (Tas.) Pty. Ltd. conv.
D. J. Burbury (R.O.W.)

(P. 1 1 1 6 2

(PLAN 1 2 0)



(S. P. 2 3 2 1 6

S.P. 2798

CT OF GLAMORGAN

OF CAMBRIA

2674 · 0 · 0. GTD. TO GEORGE MEREDITH.

T 36, 2715 · 0 · 0. GEORGE MEREDITH PURCHASER.

EFFECTIVE FROM 15 MAY 1979

– 500 FEET TO AN INCH

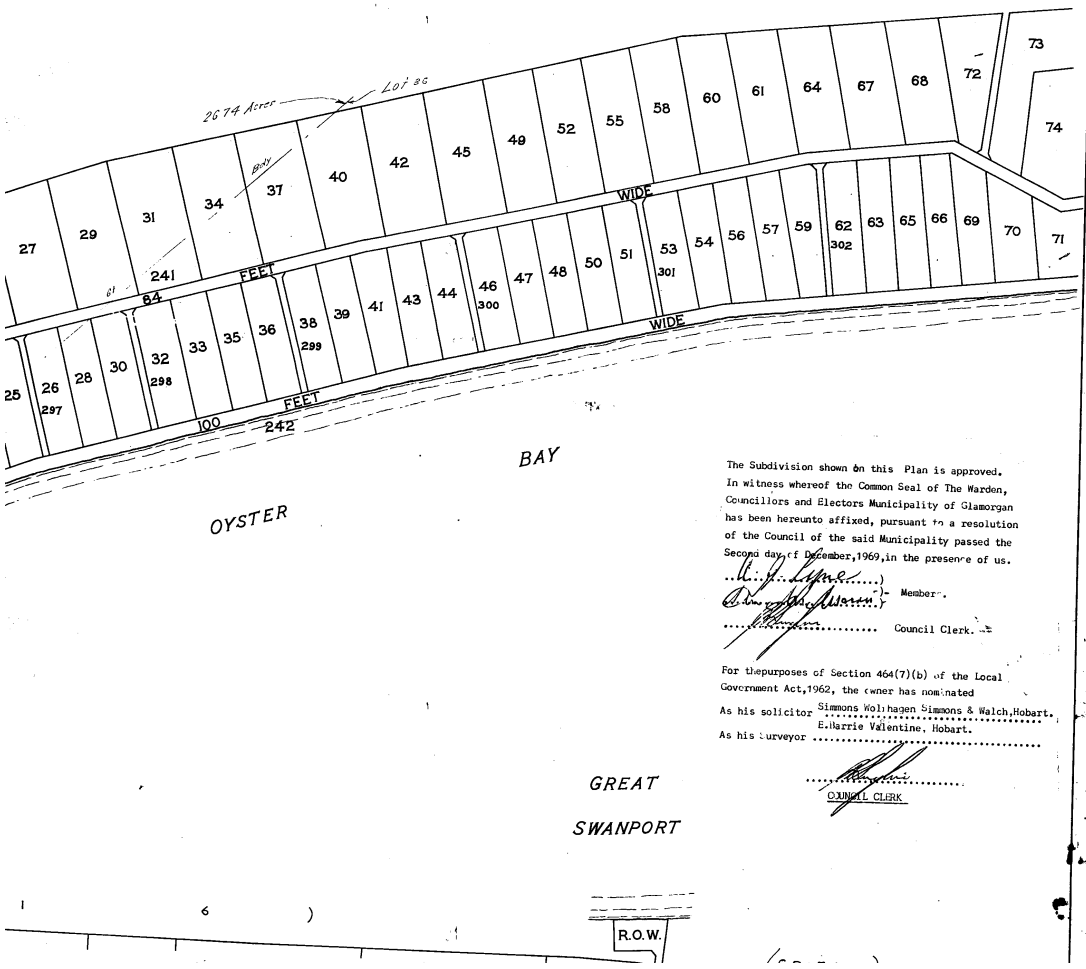
Tas) Ply. Ltd. Conv. 41/8074

urbury (R.O.W.)

RECORDER OF TITLES

(P. 111628)

(S. P. 232164)



The Subdivision shown on this Plan is approved.
In witness whereof the Common Seal of The Warden, Councillors and Electors Municipality of Glamorgan has been hereunto affixed, pursuant to a resolution of the Council of the said Municipality passed the Second day of December, 1969, in the presence of us.

..... Member.

..... Council Clerk.

For the purposes of Section 464(7)(b) of the Local Government Act, 1962, the owner has nominated

As his solicitor Simmons Wolfhagen Simmons & Walch, Hobart.

As his surveyor E. Harrie Valentine, Hobart.

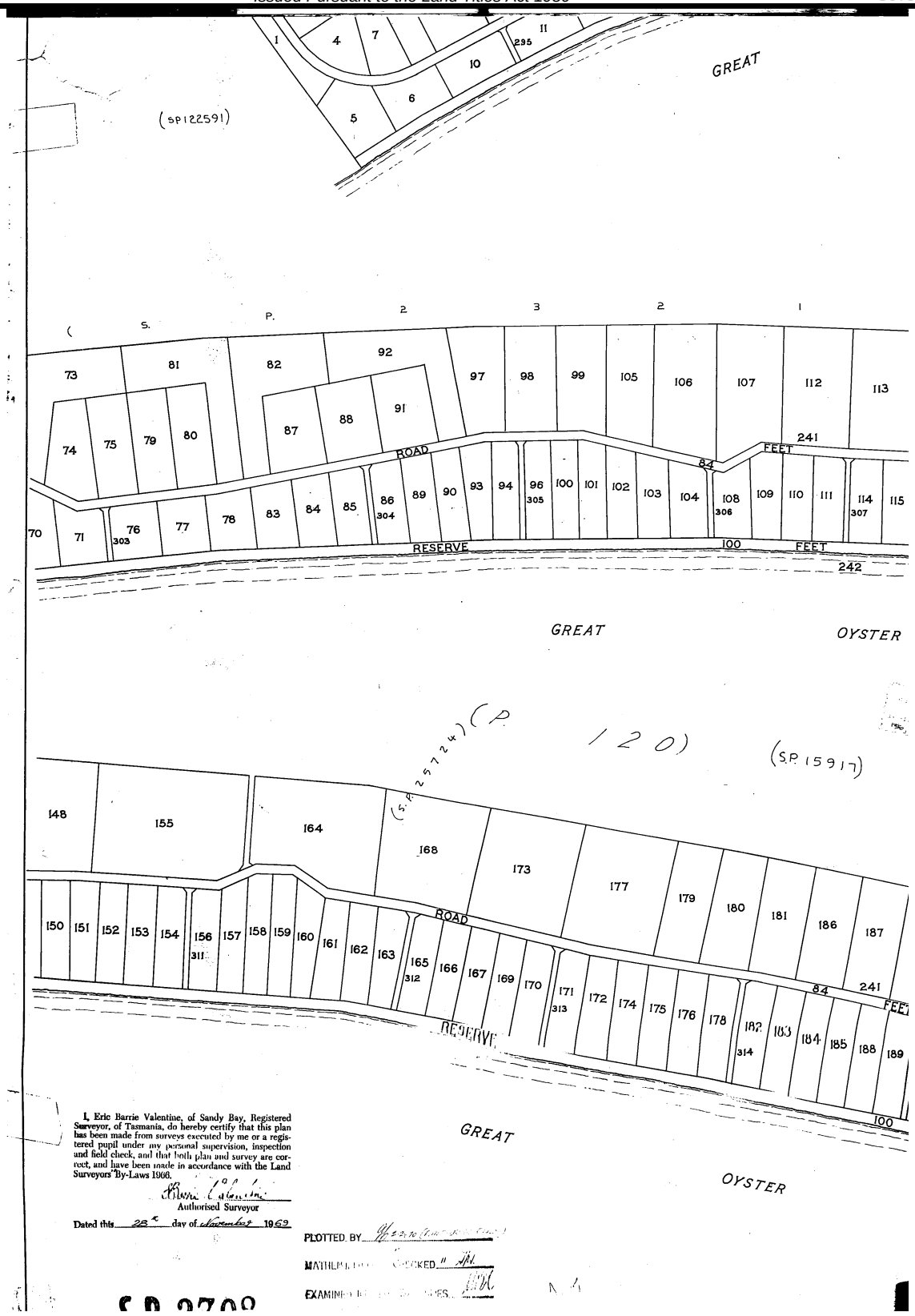
.....

COUNCIL CLERK

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



FOLIO PLAN

RECORDER OF TITLES

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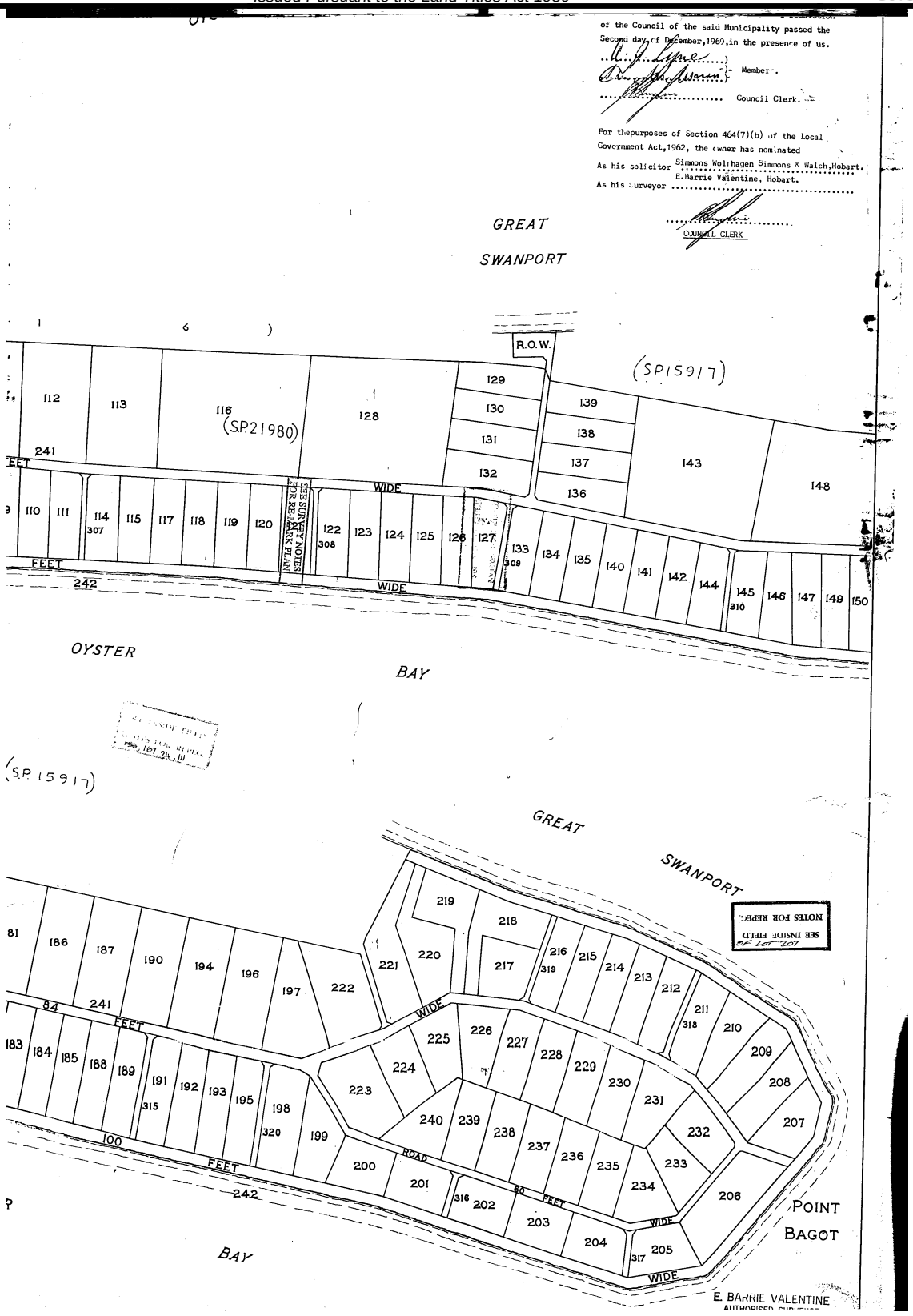

FOLIO PLAN

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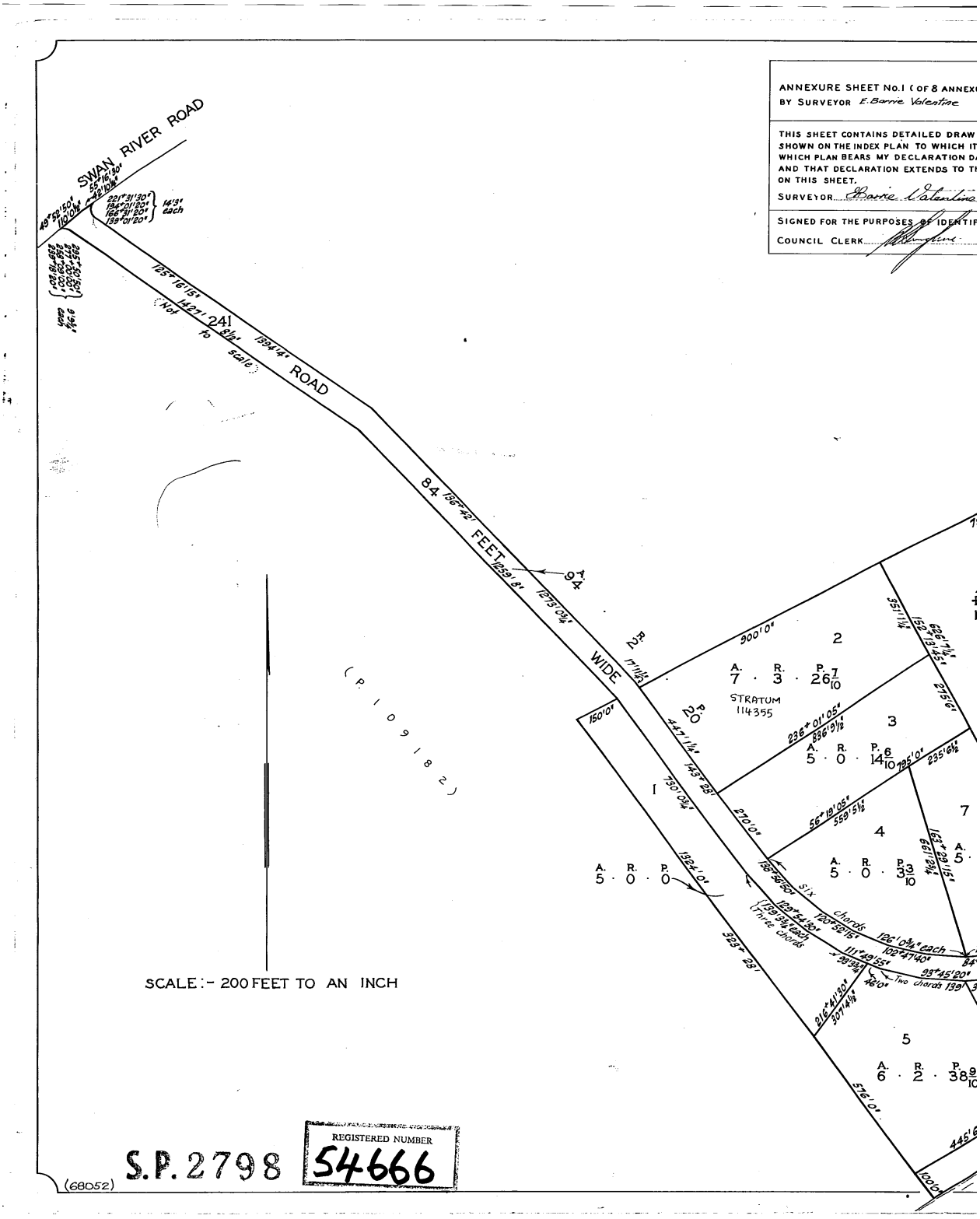
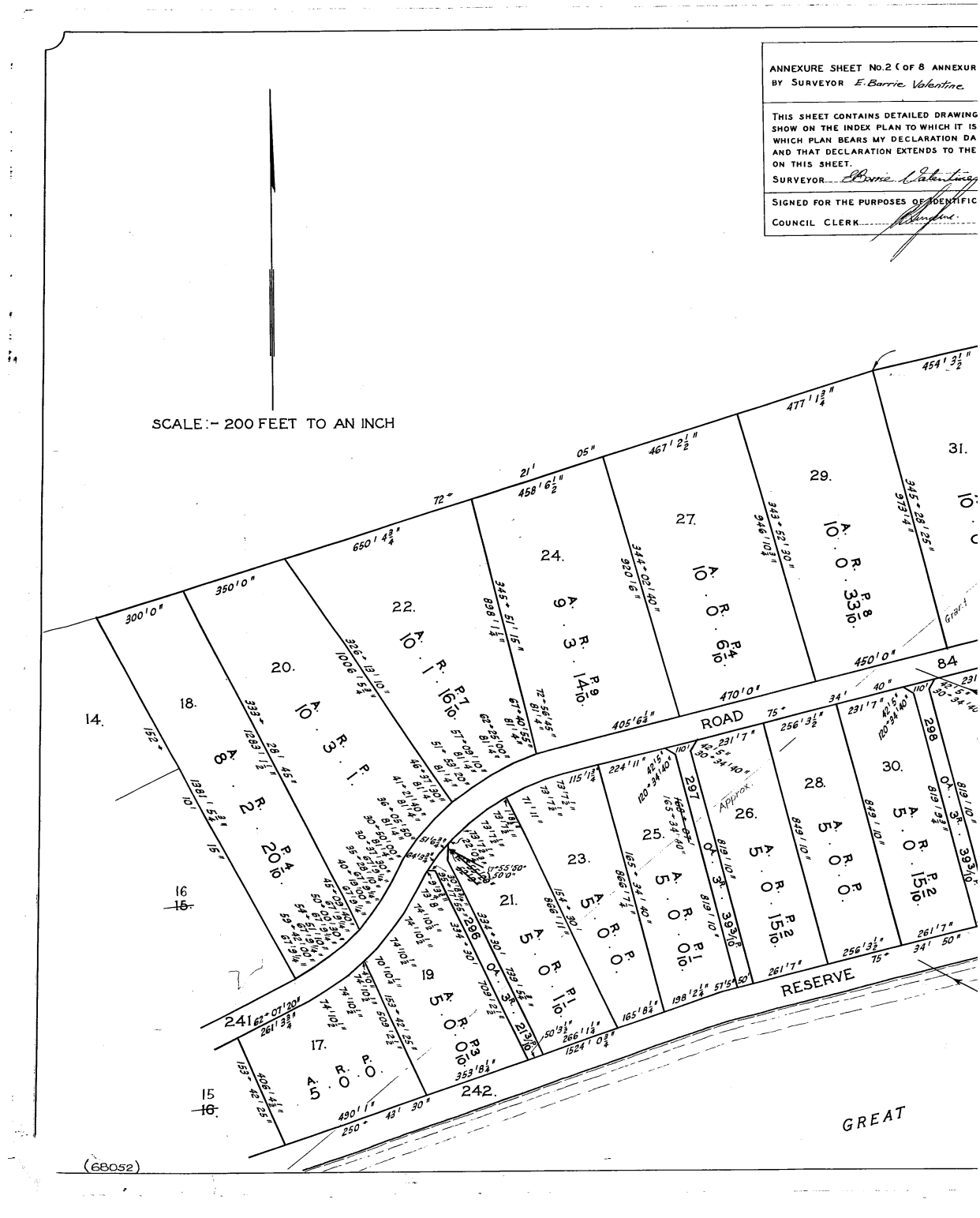


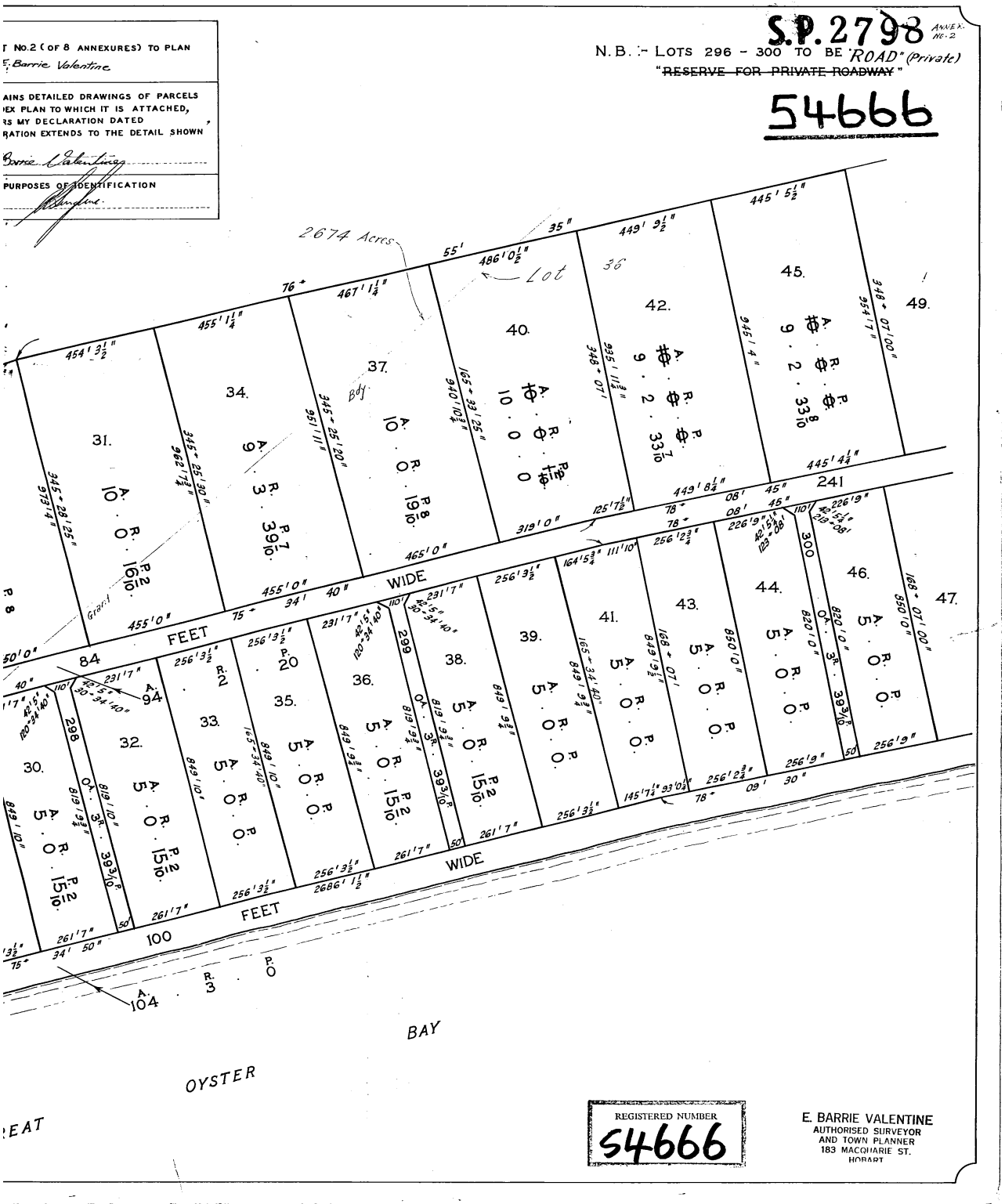

S.P.2798
ANNEX. NO.1
N.B. :- LOT 295 TO BE "ROAD" (Private)
"RESERVE FOR PRIVATE ROADWAY"
54666
ET No.1 (OF 8 ANNEXURES) TO PLAN
.Barrie Valentine
AINS DETAILED DRAWINGS OF PARCELS
DEX PLAN TO WHICH IT IS ATTACHED,
S MY DECLARATION DATED
RATION EXTENDS TO THE DETAIL SHOWN
Barrie Valentine
PURPOSES OF IDENTIFICATION.
267.4 Acres
ROAD
WIDE
FEET
RESERVE
GREAT
OYSTER
BAY
E. BARRIE VALENTINE
AUTHORISED SURVEYOR
AND TOWN PLANNER
183 MACQUARIE ST.
HOBART

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980




S.P. 2798
ANNEX. NO. 2
N.B. :- LOTS 296 - 300 TO BE "ROAD" (Private)
"RESERVE FOR PRIVATE ROADWAY"
54666
I No.2 (OF 8 ANNEXURES) TO PLAN
E. Barrie Valentine
AINS DETAILED DRAWINGS OF PARCELS
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RATION EXTENDS TO THE DETAIL SHOWN
Barrie Valentine
PURPOSES OF IDENTIFICATION
2674 Acres
Lot
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BAY
OYSTER
REGISTERED NUMBER
54666
E. BARRIE VALENTINE
AUTHORISED SURVEYOR
AND TOWN PLANNER
183 MACQUARIE ST.
HOBART


ANNEXURE SHEET No. 3 (OF 8 ANNEX
SURVEYOR E. Barrie Valentine
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AND THAT DECLARATION EXTENDS TO
ON THIS SHEET.
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SIGNED FOR THE PURPOSES OF IDENTIF
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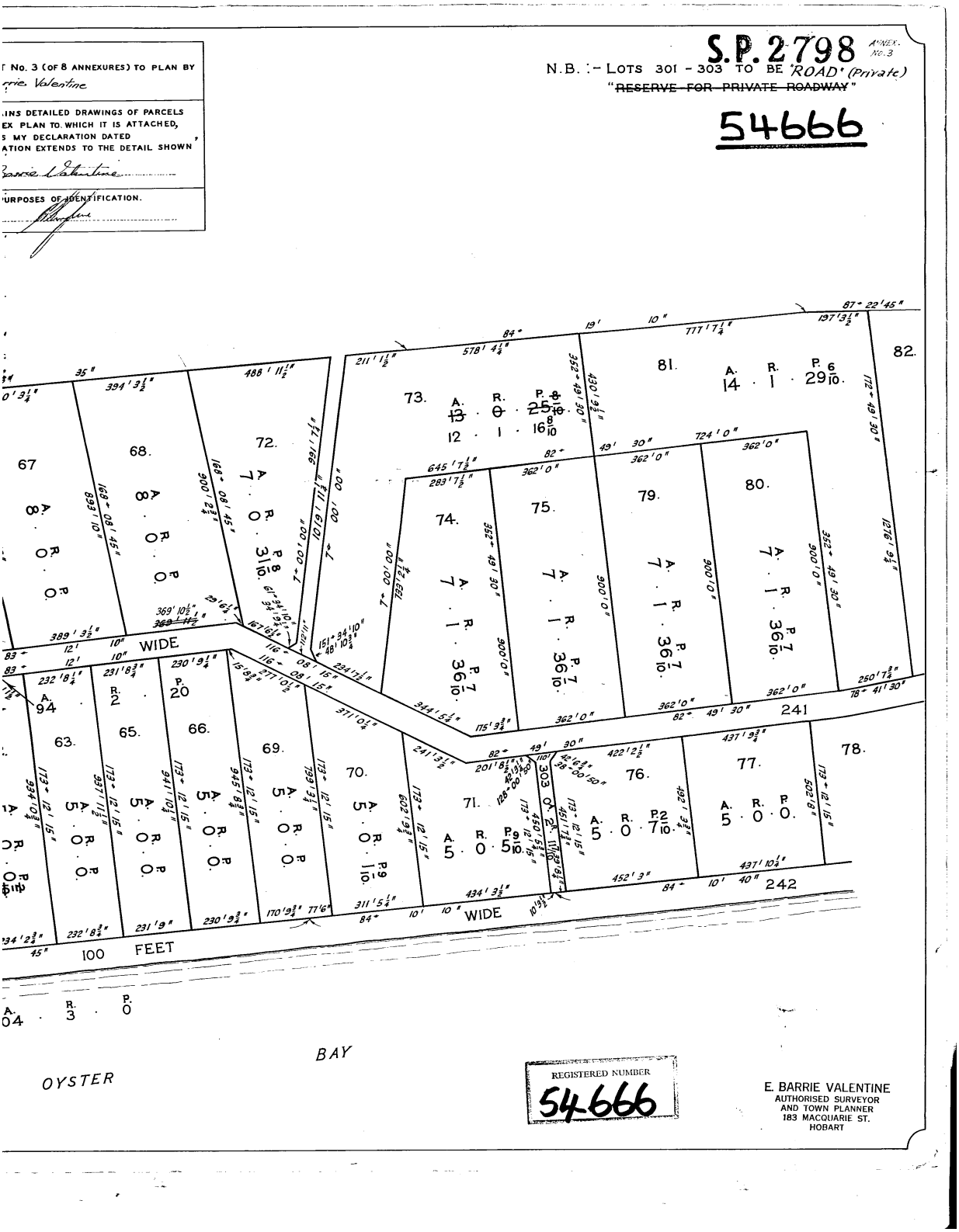
S.P. 2798
ANNEX. No. 3
N.B. :- LOTS 301 - 303 TO BE 'ROAD' (Private)
"RESERVE FOR PRIVATE ROADWAY"
54666
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Barrie Valentine
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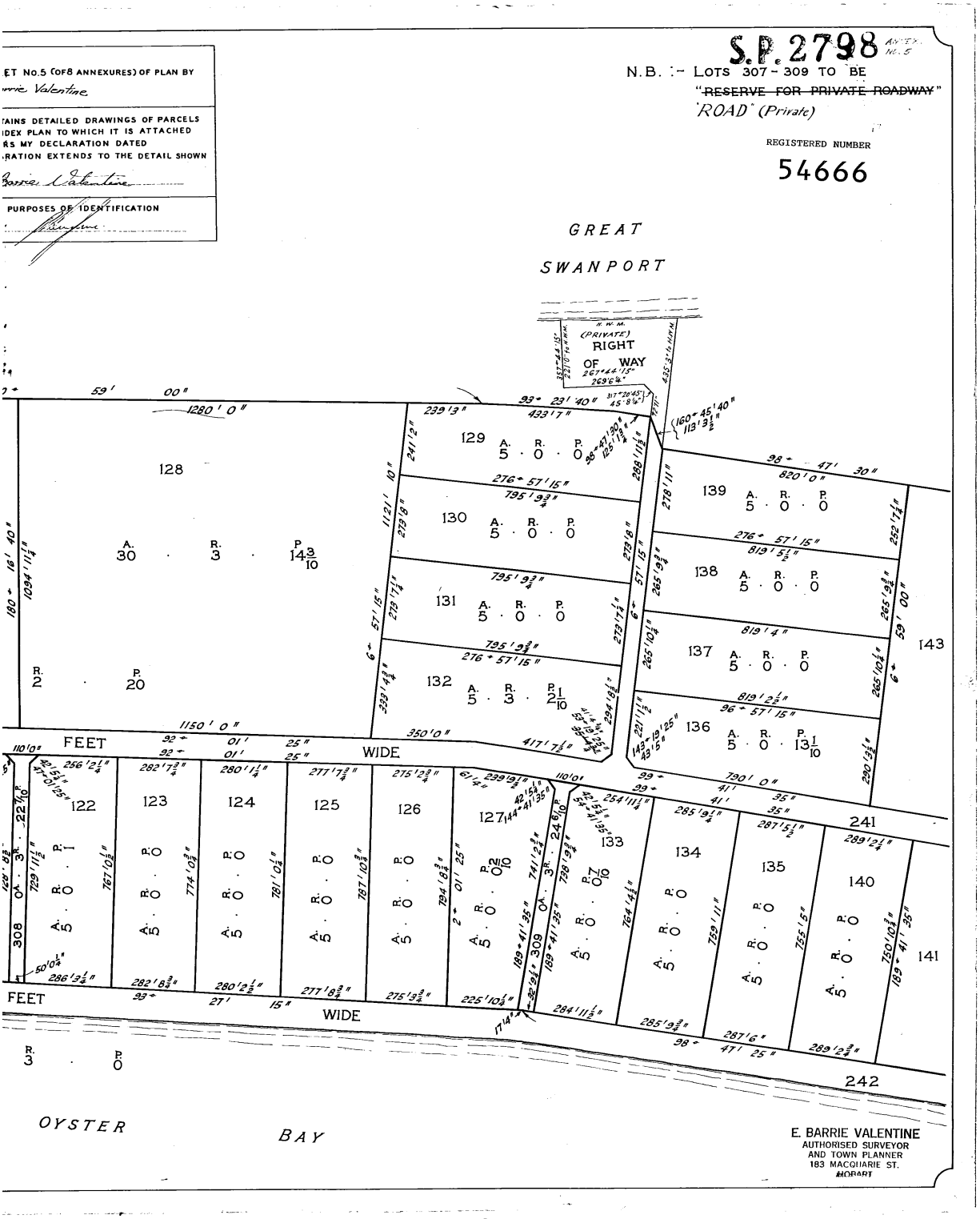
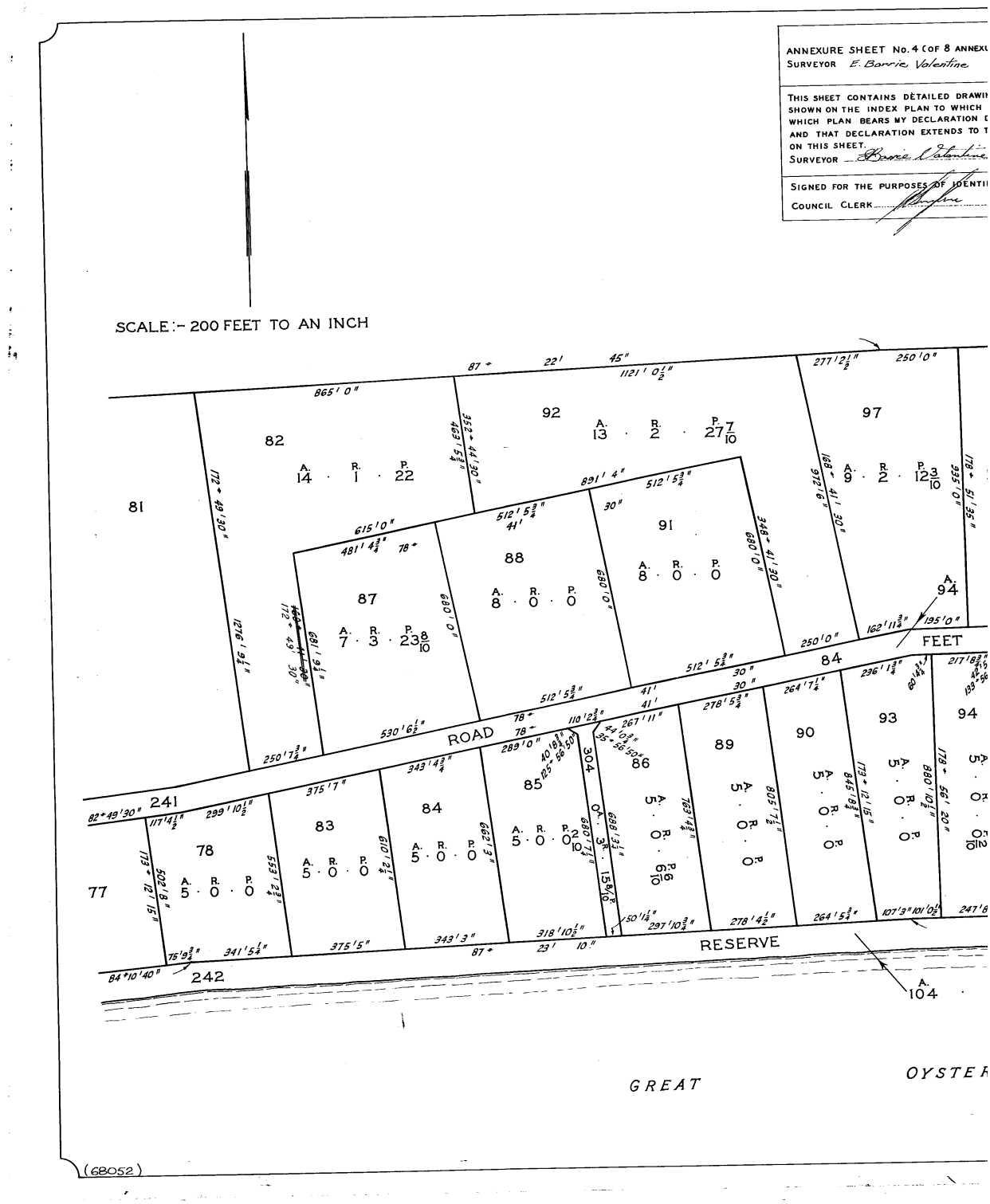
E. BARRIE VALENTINE
AUTHORISED SURVEYOR
AND TOWN PLANNER
183 MACQUARIE ST.
HOBART




ANNEXURE SHEET No. 4 OF 8 ANNEXU
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SURVEYOR Barrie Valentine
SIGNED FOR THE PURPOSES OF IDENTI
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A. 13 · R. 2 · P. 27 7/10
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A. 9 · R. 2 · P. 12 3/10
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A. 8 · R. 0 · P. 0
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S.P. 2798

N.B. :- LOTS 304 - 306 TO BE "ROAD (Private)"
"~~RESERVE FOR PRIVATE ROADWAY~~"

54666

ET No. 4 (OF 8 ANNEXURES) TO PLAN BY
Barrie Valentine

AINS DETAILED DRAWINGS OF PARCELS
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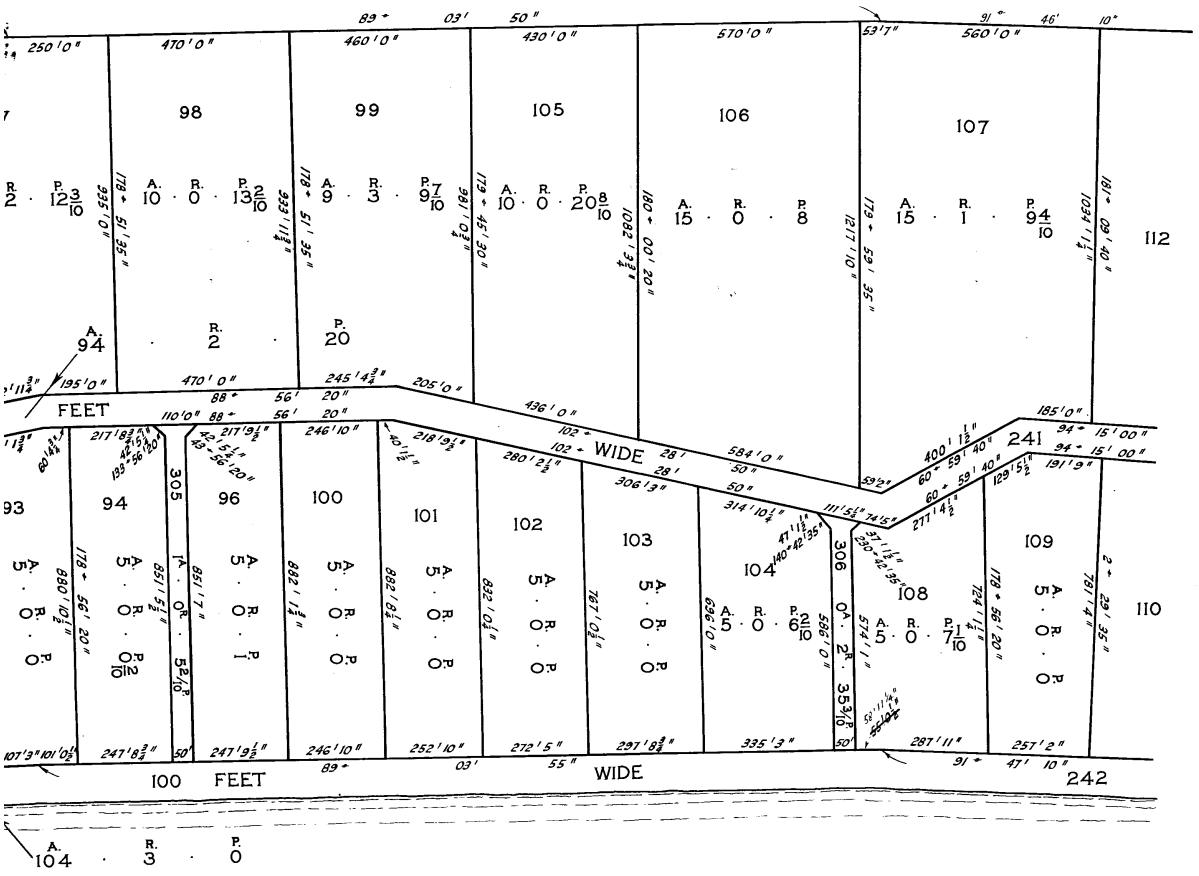
URATION EXTENDS TO THE DETAIL SHOWN

Barrie Valentine

PURPOSES OF IDENTIFICATION

SEE INSIDE FIELD NOTES FOR REPEG. LAST 92



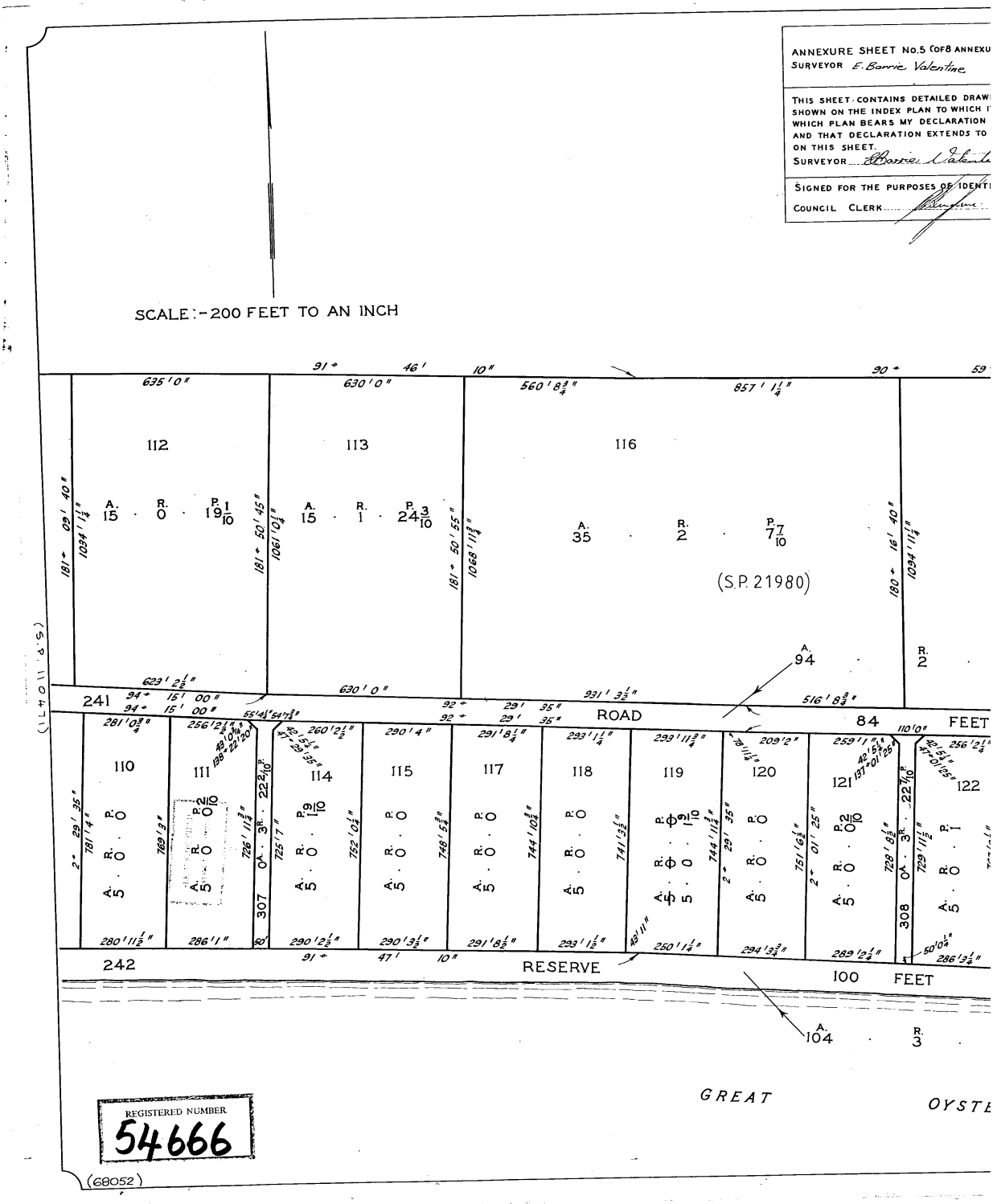
REGISTERED NUMBER
54666

E. BARRIE VALENTINE
AUTHORISED SURVEYOR
AND TOWN PLANNER
183 MACQUARIE ST.
HOBART

FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



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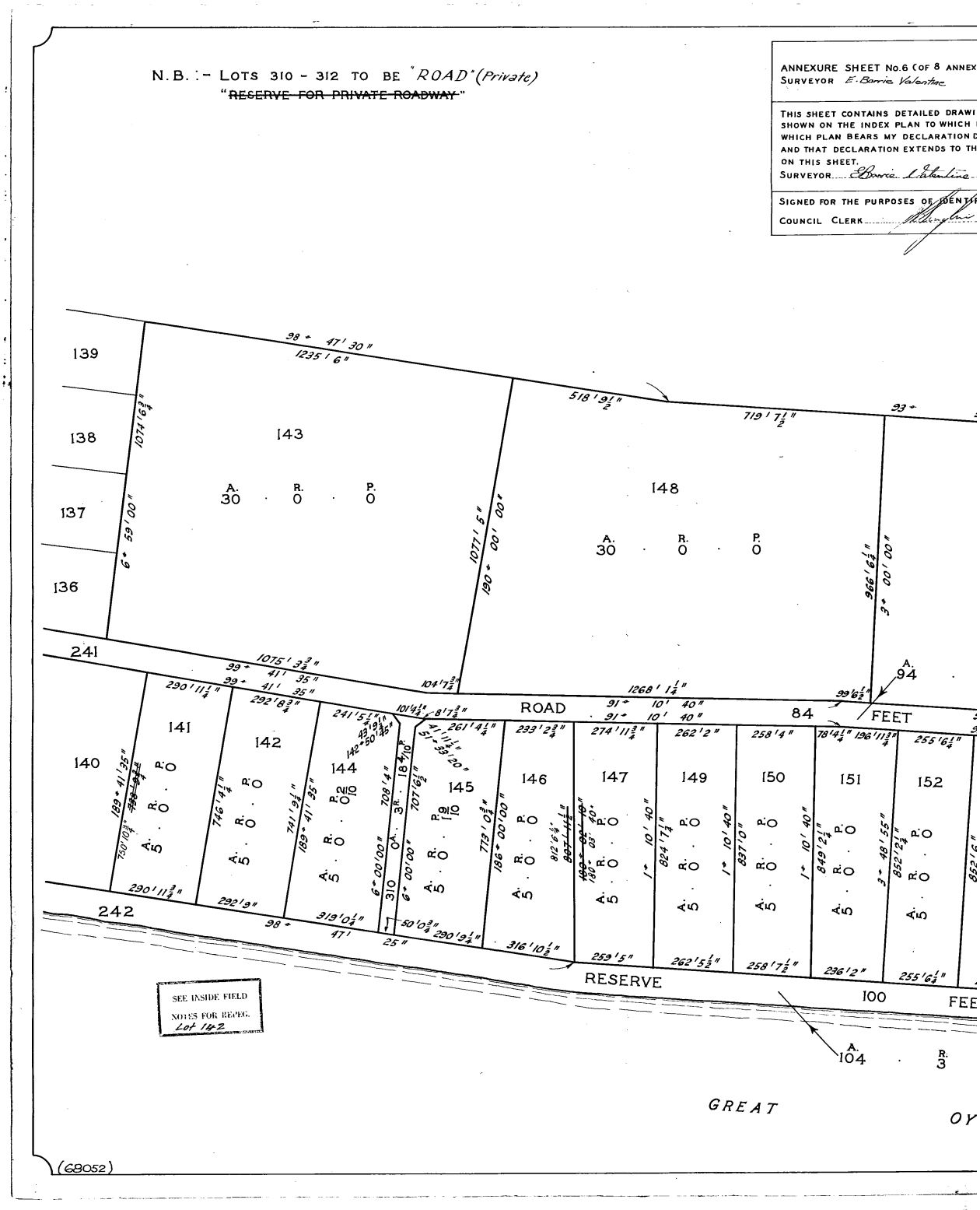

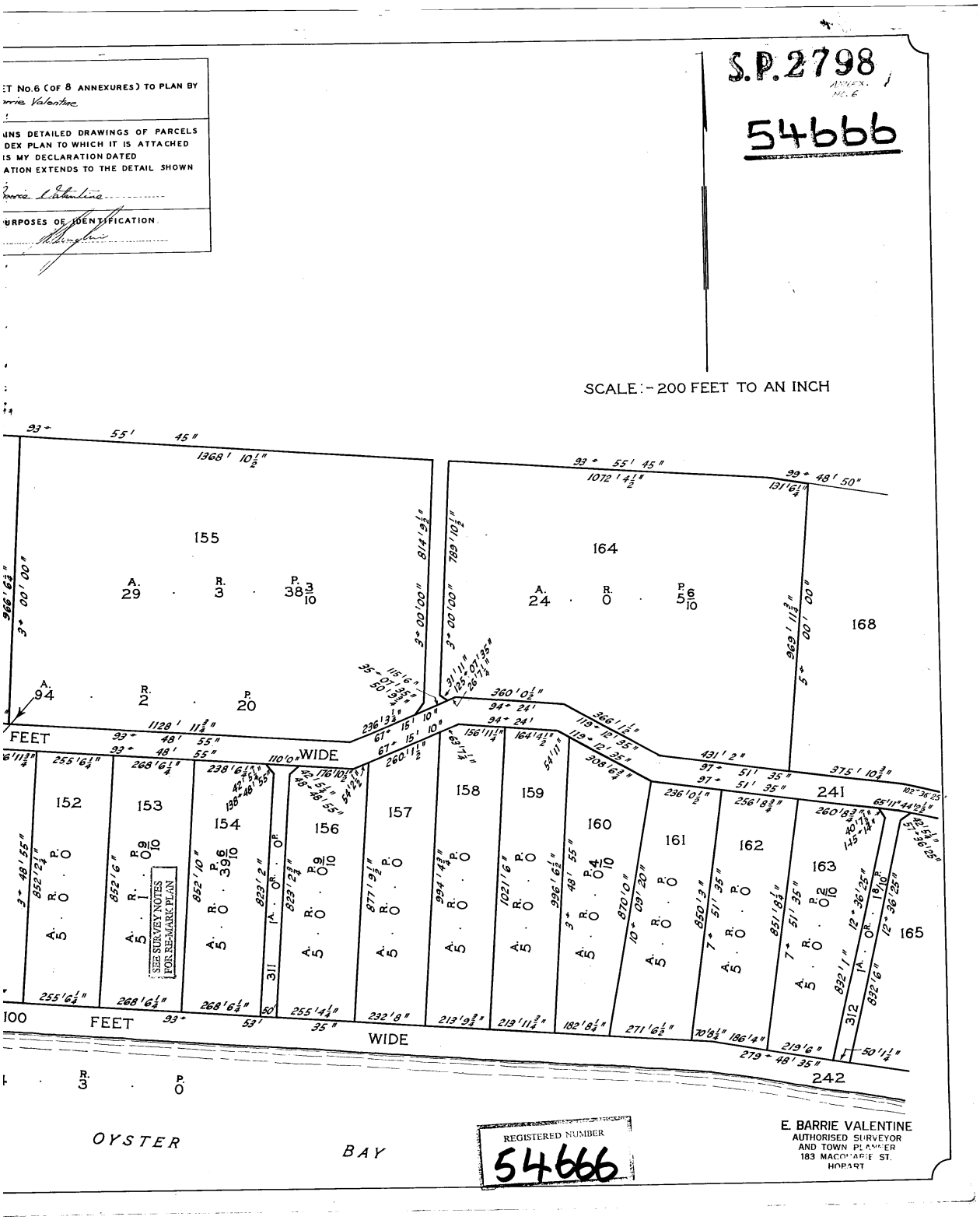
S.P.2798
54666
SCALE:- 200 FEET TO AN INCH
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FEET
WIDE
OYSTER BAY
REGISTERED NUMBER
54666
E. BARRIE VALENTINE
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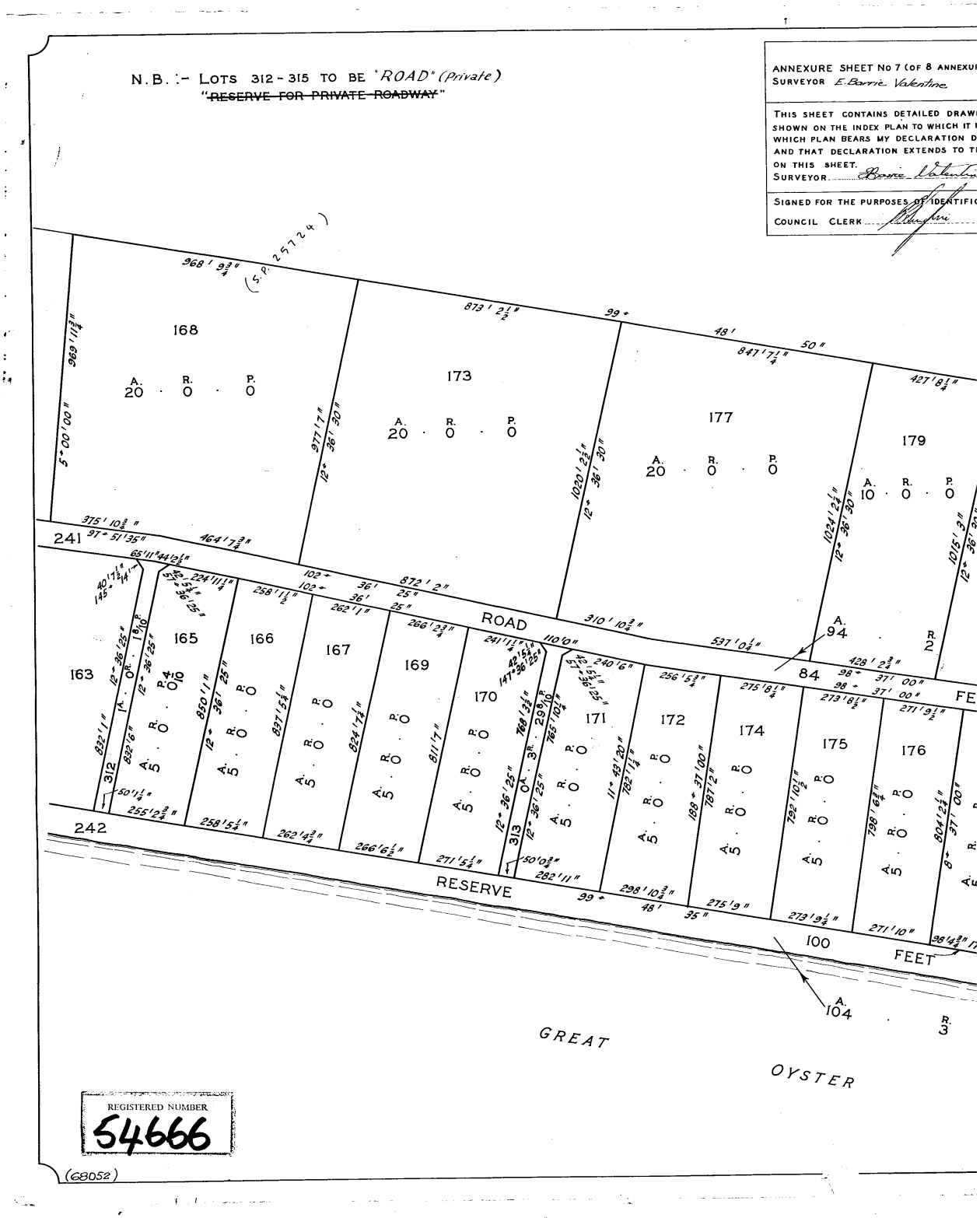

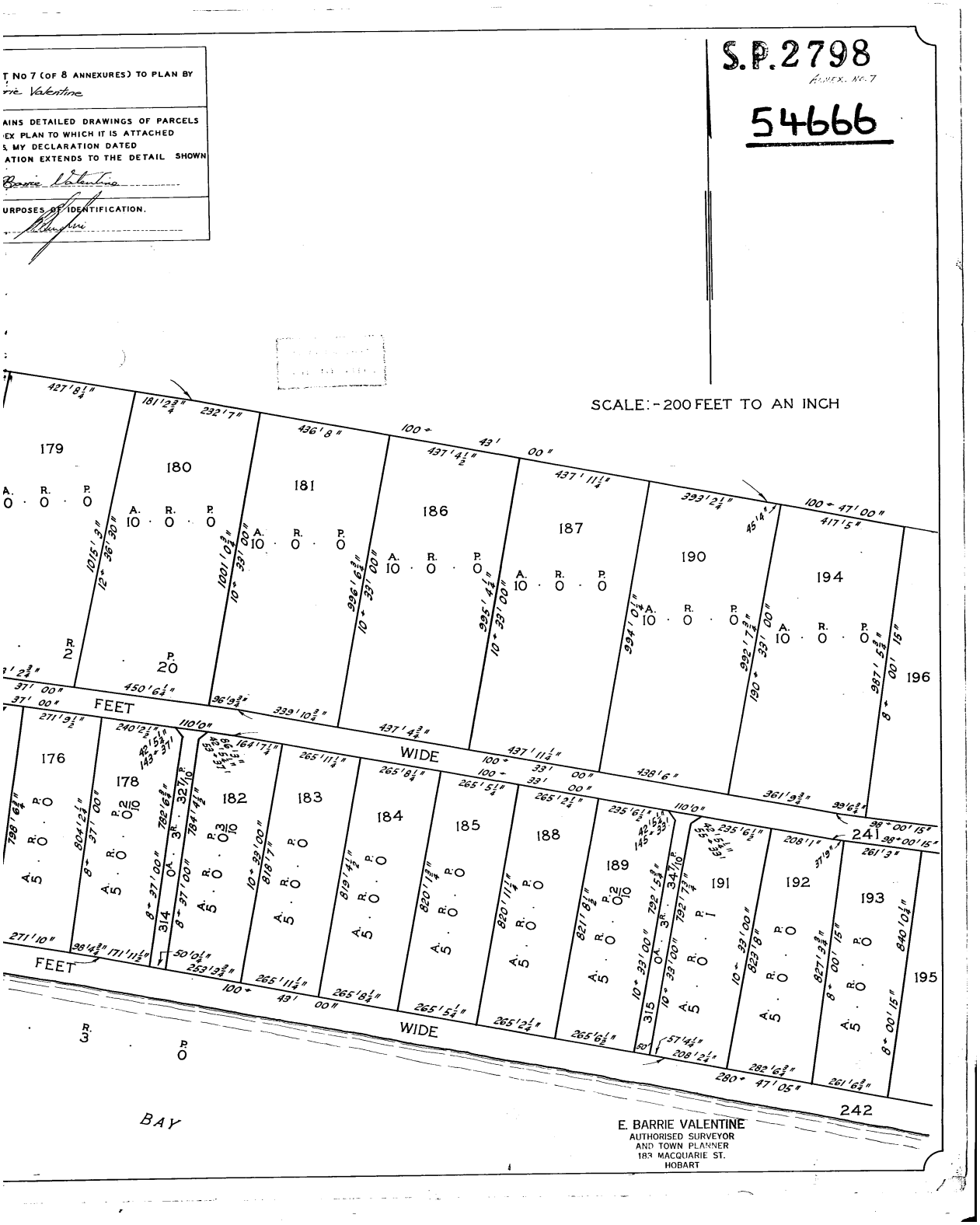

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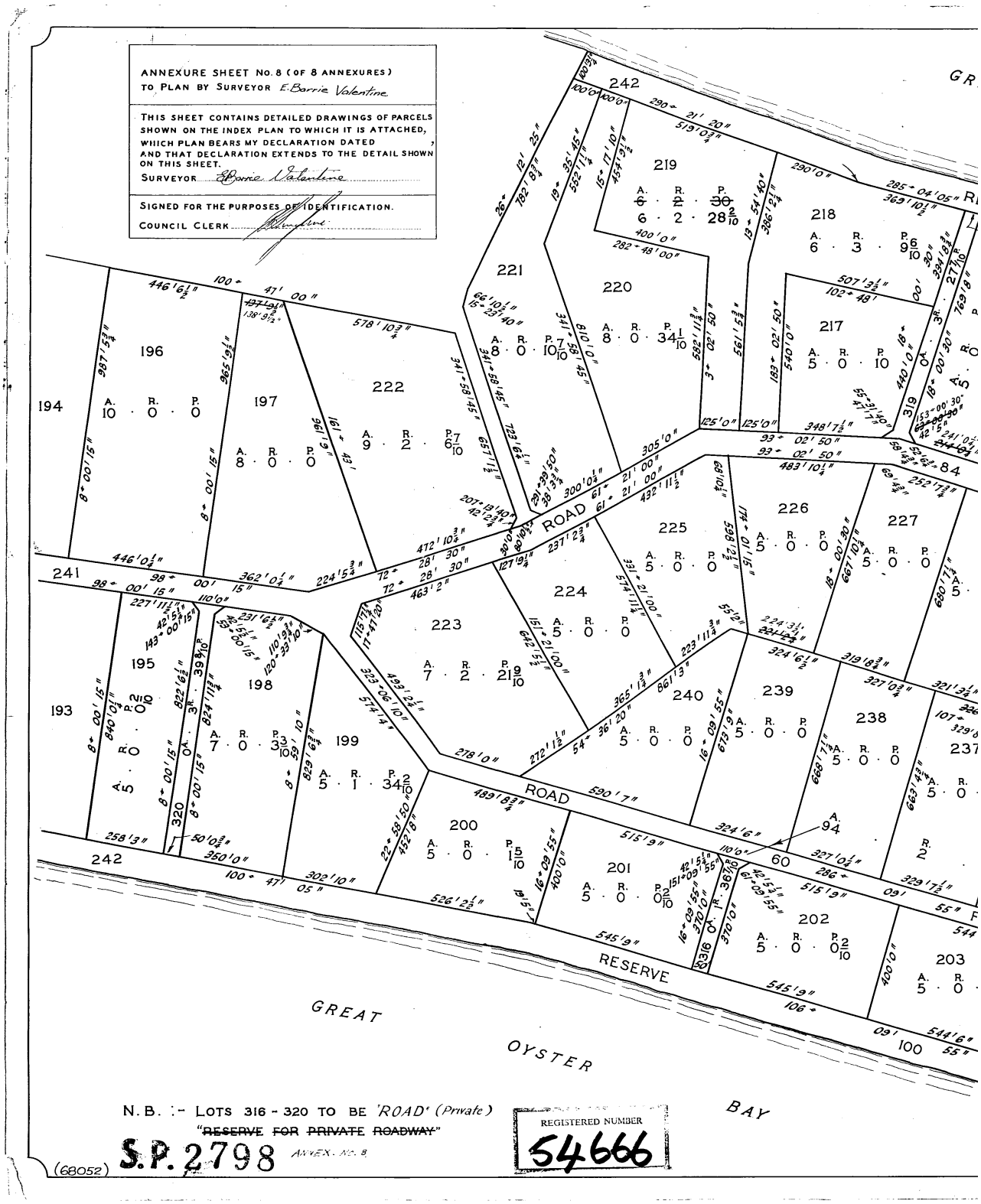

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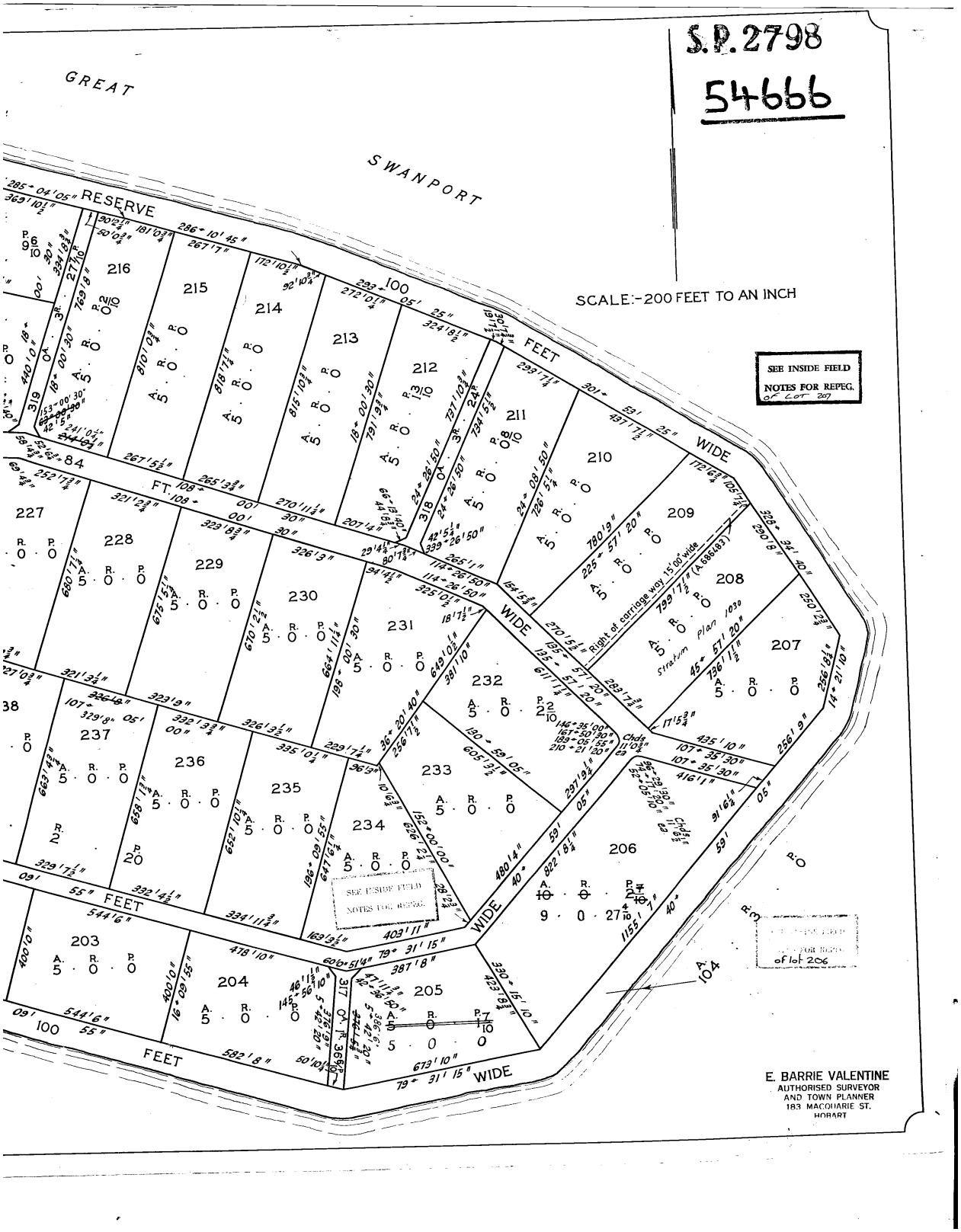


PLAN OF SUBDIVISION

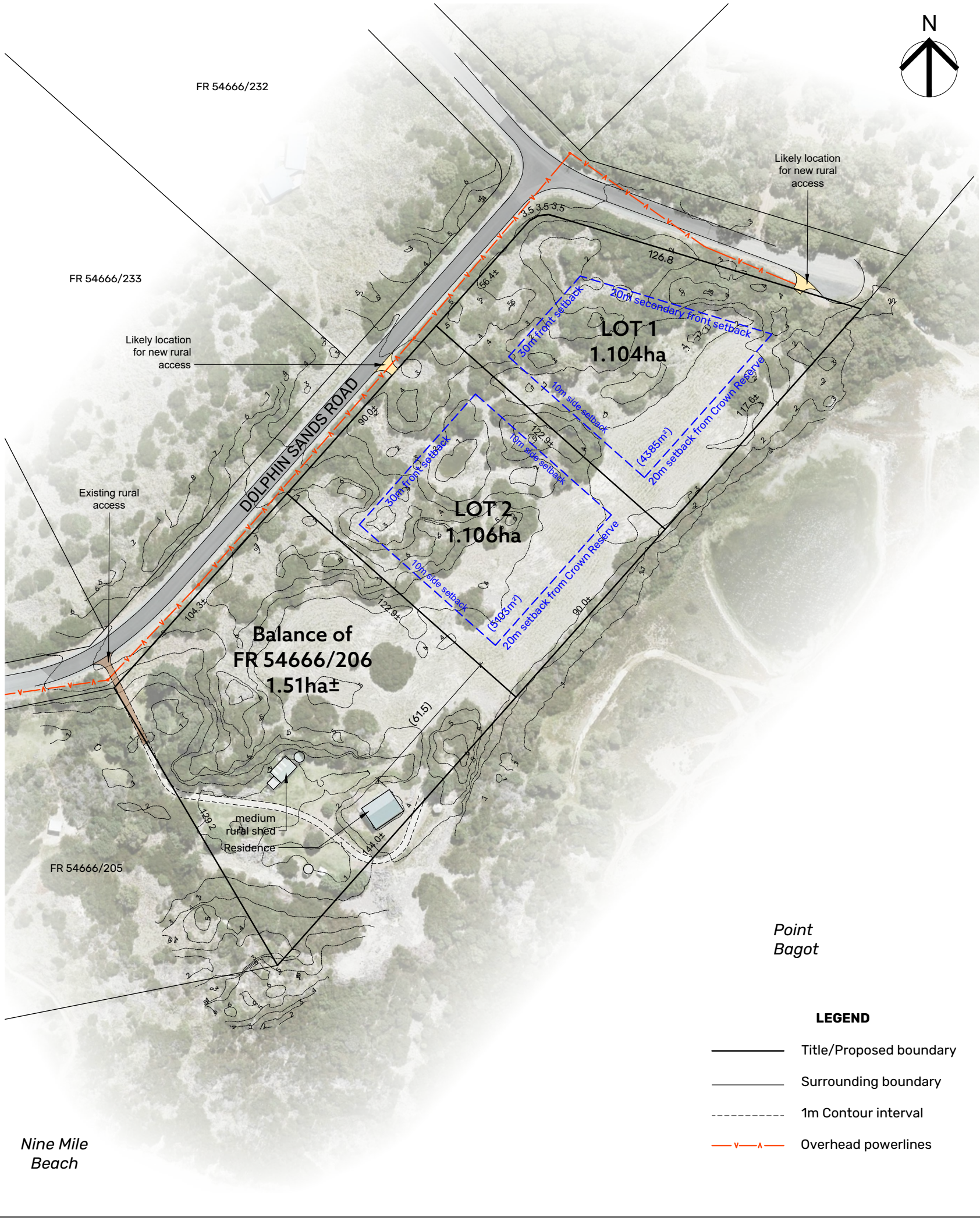
PDA
SURVEYORS, ENGINEERS & PLANNERS

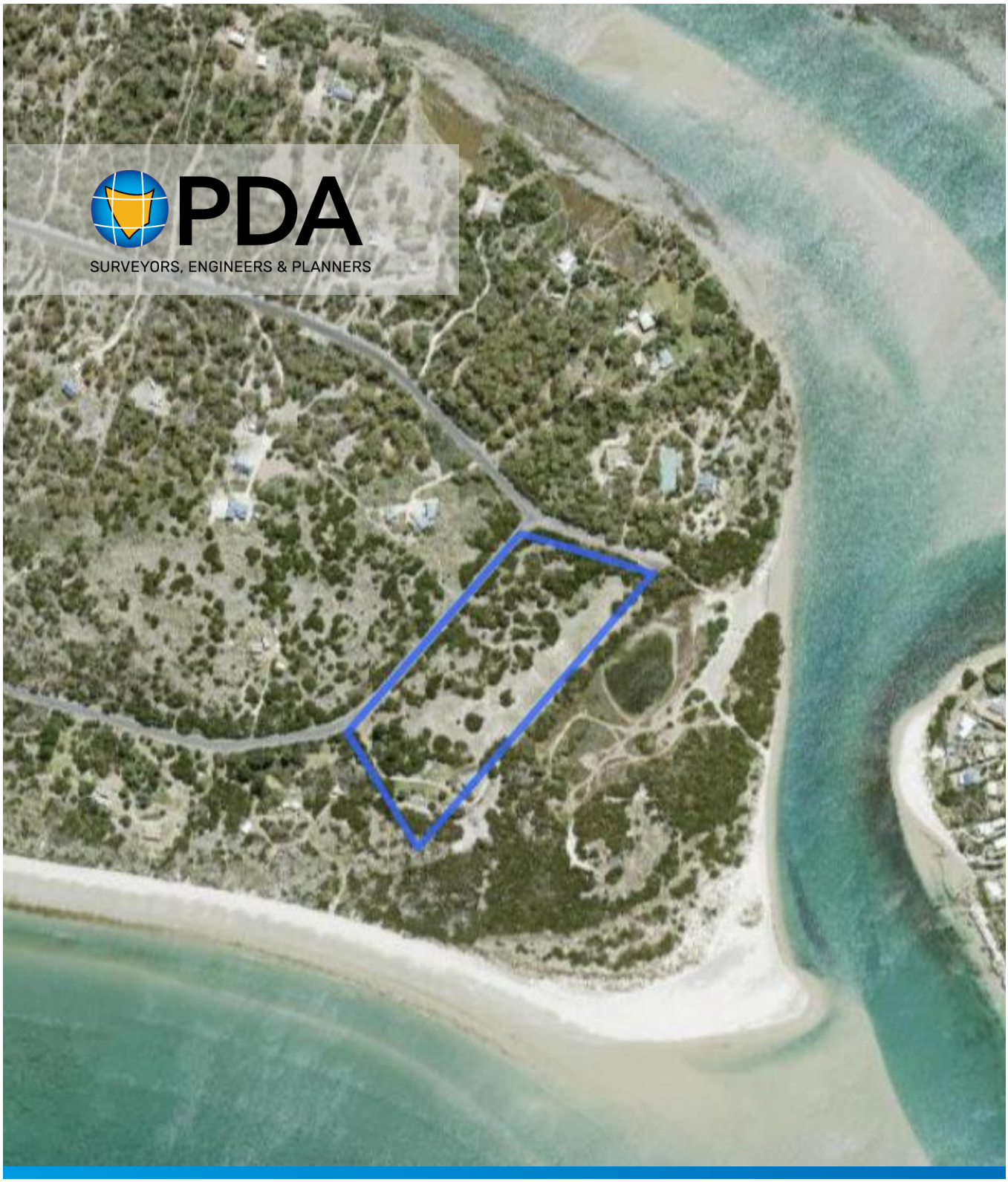
127 Bathurst Street
Hobart, Tasmania, 7000
PHONE: +61 03 6234 3217
FAX: +61 03 6234 5085
EMAIL: pda.hbt@pda.com.au
www.pda.com.au
Also at: Kingston, Launceston & Burnie

Owners	Bettina Joy Prehn	***Address***	1433 Dolphin Sands Road, Dolphin Sands
		Council	Glamorgan-Spring Bay Council
Title References	FR 54666/206	***Planning Scheme***	Glamorgan-Spring Bay Local Provisions
		Zone & Overlay	31 Particular Purpose GSB-P1.0 - Dolphin Sands
Schedule Of Easements	As shown.		

This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.

Scale	1:1500	***Date***	26 July 2022	***PDA Reference***	49882HC-1	***Map reference***	6033-11	***PID***	5280443	***Point of Interest GDA2020 MGA55***	601825, 5338760





Planning Report

1433 Dolphin Sands Road, Dolphin Sands
Subdivision: 2 Lot and balance

49882HC | July 2022

PDA
SURVEYORS, ENGINEERS & PLANNERS

Table of Contents

PDA Contributors

Planning Assessment	Jane Monks	July 2022
Review & Approval	Hugh Clement	July 2022

Revision History

Revision	Description	Date
0	First Issue	July 2022
1	Revision	July 2022

EXECUTIVE SUMMARY

Council approval is sought for a 2 lot subdivision at 1433 Dolphin Sands Road, Dolphin Sands. This planning assessment, combined with supplimentary documention has been provided in support of the proposed development.

Bett

Development Details:

Client/Owner	Bettina Joy Prehn
Property Address	1433 Dolphin Sands Road, Dolphin Sands
Proposal	3 Lot Subdivision
Land Area	3.764ha±

PID / CT	5280443	54666/206
Planning Ordinance	*Tasmanian Planning Scheme – Glamorgan Spring Bay*	
Land Zoning	GSB-P1.0 Particular Purpose - Dolphin Sands	
Specific Areas Plans	N/A	
Code Overlays	Bushfire Prone Area Priority Vegetation Area Waterway and Coast Protection Area Coastal Inundation Hazard Band (low)	

Use Status	Residential
Application Status	Discretionary

1. Introduction/Context

Council approval is sought for a 2 lot subdivision at 1433 Dolphin Sands Road, Dolphin Sands. In support of the proposal, the following associated documents have been provided in conjunction with this planning assessment:

- The Title Plan and Folio: CT 54666/206
- Schedule of Easements: CT 54666/206
- Proposed Plan of Subdivision: PDA 49882HC-1

1.1. The Land

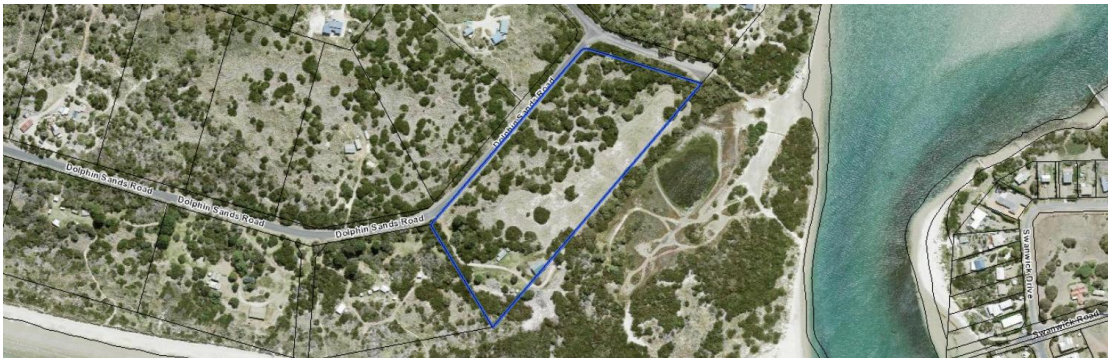


Figure 1. Existing aerial image of the subject land (LISTmap, 2022)

The subject land is located at 1433 Dolphin Sands Road, Dolphin Sands (PID: 5280443). It is a rectangular shaped parcel of land with a total land area of 3.764ha±, as illustrated in Figure 1. The land is characterised by native scrub and grasses, with clusters of sandy openings. There is an existing dwelling and outbuildings in the southern corner of the land, with access from Dolphin Sands Road provided at the south western corner.

1.2 Natural Values

The subject land is within the catchment of the Moulting Lagoon Ramsar Site. No natural values specific to the subject land have been identified.

2. Proposal

A Planning Permit for a 2 lot subdivision is sought, in accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* and Clause 6.8 of the *Tasmanian Planning Scheme – Glamorgan Spring Bay*.

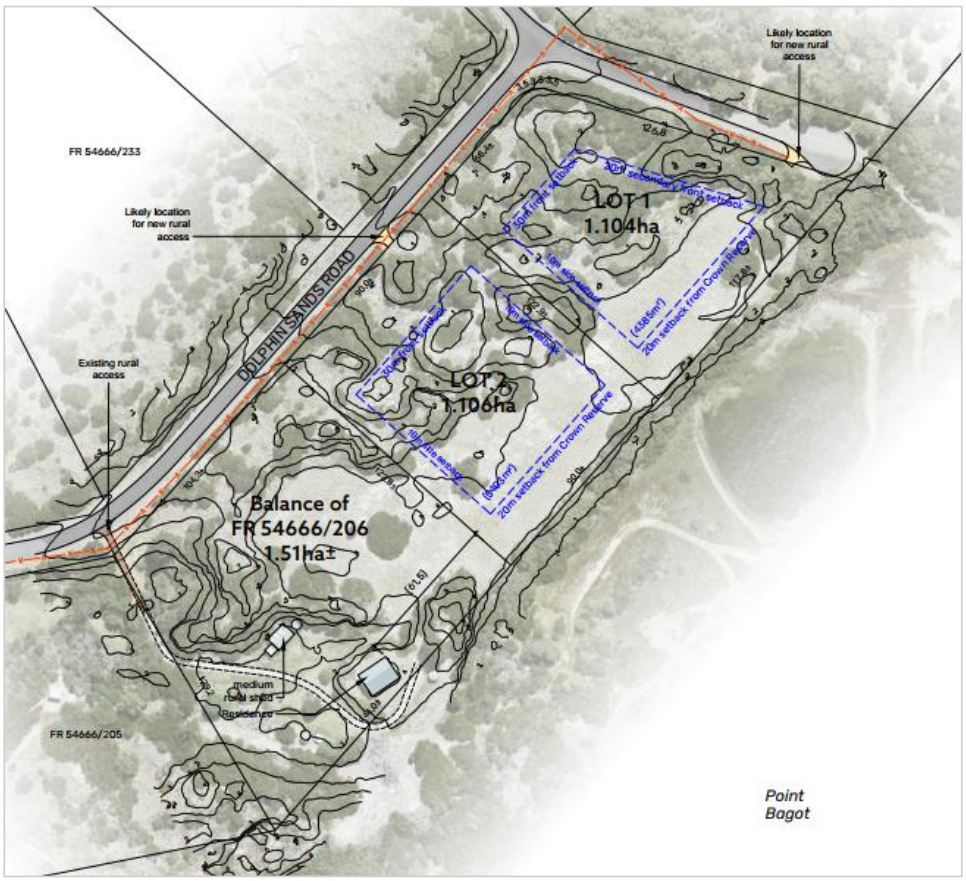


Figure 2. Proposed Plan of Subdivision
(Please refer to the attached file 49882HC -1 for complete Plan of Subdivision)

It is proposed that the land of title CT 54666/206 be subdivided into 2 lots and balance, as shown in Figure 2. Lot 1 and lot 2 have been generously provided with a 30m x 30m indicative building area and new vehicular access, whilst the balance lot is to retain the existing dwelling, outbuilding, and vehicular access to Dolphin Sands Road. New proposed lots are clear of boundary setbacks, and lot layout and design are in keeping with neighbouring properties.

3. Planning Assessment

This current proposal for subdivision has been developed in accordance with the *Tasmanian Planning Scheme – Glamorgan Spring Bay*.

3.1. Use Class

Residential

3.2 Zoning

Figure 3. Zoning identification of the subject land and surrounds

The subject land is located within a Particular Purpose Zone – Dolphin Sands, as shown in Figure 3. All neighbouring properties are also Particular Purpose zoning, whilst the eastern boundary borders the Environmental Management Zone for which encircles the Dolphin Sands locality.

3.3 Zone Standards

GSB-P1.0 Particular Purpose - Dolphin Sands

GSB-P1.7 Development standards for Subdivision

GSB-P1.7.1 Subdivision

Objective:	
To prevent subdivision of land other than that necessary for existing or approved uses or for the management of environmental values.	
Acceptable Solutions	Performance Criteria
A1 Subdivision must be for the consolidation of lots if no additional lots are created.	**P1** Subdivision of land must: (a) provide for public open space, a public reserve, public services or utilities; or (b) have a minimum frontage of 60m; and (c) not create a lot that is less than 1 hectare in area.

Response:

P1 is met: The subdivision of the land satisfies the performance criteria as follows:

(b) at 104m±, 90.0m± and 183.2m±, each lot has been provided with a frontage over 60m;

(c) at 1.51ha±, 1.106ha±, and 1.104ha±, the area of each lot is over 1ha in size.

3.4 Codes

Figure 4. Scheme Overlay identification of the subject land and surrounds (LISTmap, 2022)

The subject land is entirely overlayed with a Bushfire Prone Area and Priority Vegetation Area, as well as partially overlayed with a Waterway and Coastal Protection Area (buffer area), and Coastal Inundation Hazard Band (low). The proposed subdivision also requires the following Codes under the Tasmanian Planning Scheme – Glamorgan Spring Bay to be considered.

Code	*Comments:*
C1.0 Signs Code	*N/A*
C2.0 Parking & Sustainable Transport Code	As this Code is relevant to this proposal, an assessment is provided below
C3.0 Road and Railway Assets Code	As this Code is relevant to this proposal, an assessment is provided below
C4.0 Electricity Transmission Infrastructure	*N/A*
C5.0 Telecommunications Code	*N/A*
C6.0 Local Historic Heritage Code	*N/A*
C7.0 Natural Assets Code	As this Code is relevant to this proposal, an assessment is provided below
C8.0 Scenic Protection Code	*N/A*
C9.0 Attenuation Code	*N/A*
C10.0 Coastal Erosion Hazard Code	*N/A*
C11.0 Coastal Inundation Hazard Code	As this Code is relevant to this proposal, an assessment is provided below
C12.0 Flood-Prone Areas Hazard Code	*N/A*
C13.0 Bushfire-Prone Areas Code	As this Code is relevant to this proposal, an assessment is provided below
C14.0 Potentially Contaminated Land Code	*N/A*
C15.0 Landslip Hazard Code	*N/A*
C16.0 Safeguarding of Airports Code	*N/A*

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3.5 Code Standards

C2.0 Parking and Sustainable Transport Code

C2.6 Development Standards for Buildings and Works

C2.6.3 Number of accesses for vehicles

Objective:	
That: (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses; (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and (c) the number of accesses minimise impacts on the streetscape.	
Acceptable Solutions	
A1 The number of accesses provided for each frontage must: (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater.	
Response:	
A1 is met: Each lot has no more than one vehicle access point per road frontage	

C3.0 Road and Railway Assets Code

C3.7 Development Standards for subdivision

C3.7.1 Subdivision for sensitive uses with a road or railway attenuation area

Objective:	
To minimise the effects of noise, vibration, light and air emissions on lots for sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.	
Acceptable Solutions	
A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.	
Response:	
A1 is met: *Not applicable* - the proposal is not in any road or railway attenuation area.	

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C7.0 Natural Assets Code

C7.7 Development Standards for subdivision

C7.7.1 Subdivision within a waterway & coastal protection area or future coastal refugia area

Objective:	
That: (a) works associated with subdivision within a waterway and coastal protection area or a future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets; and (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.	
Acceptable Solutions	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must: (a) be for the creation of separate lots for existing buildings; (b) be required for public use by the Crown, a council, or a State authority; (c) be required for the provision of Utilities; (d) be for the consolidation of a lot; or (e) not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.	P1 Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must minimise adverse impacts on natural assets, having regard to: (a) the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area; and (b) future development likely to be facilitated by the subdivision.

Response:

P1 is met: Each proposed lot satisfies the performance criteria as follows:

(a) As the majority of the subject land is overlayed with the waterway and costal protection buffer area, the proposal is unable to locate the proposed indicative building areas outside of this area. However, as this proposal is on the outer edge of the buffer area and the indicative building envelopes are very generous at 30m x 30m, it is likely to have low to no adverse impacts on the natural assets or values of the waterway and coastal protection area. The proposal is also only for subdivision of the land which may, or may not, be developed into the future. It would be more appropriate to seek information about the mitigation or management of risk at the time of any future development.

(b) Due to the size and topography of the land, future development of the land is unlikely to adversely impact the waterway and coastal protection buffer area.

PDA SURVEYORS, ENGINEERS & PLANNERS

C3.7.2 Subdivision within a priority vegetation area

Objective:	
(a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation.	
Acceptable Solutions	**Performance Criteria**
A1 Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must: (a) be for the purposes of creating separate lots for existing buildings; (b) be required for public use by the Crown, a council, or a State authority; (c) be required for the provision of Utilities; (d) be for the consolidation of a lot; or (e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.	**P1.1** Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for: (a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmanian Fire Service or an accredited person; (b) subdivision for the construction of a single dwelling or an associated outbuilding; (c) subdivision in the General Residential Zone or Low Density Residential Zone; (d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design; (e) subdivision involving clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or (f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site. **P1.2** Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to: (a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards; (b) any particular requirements for the works and future development likely to be facilitated by the subdivision; (c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings; (d) any mitigation measures implemented to minimise the residual impacts on priority vegetation; (e) any on-site biodiversity offsets; and (f) any existing cleared areas on the site.

Response:

P1.1 is met: The proposal satisfies (b), as all new lots as part of the subdivision are for the construction of a single dwelling.

P1.2 is met: To minimise potential adverse impacts on any unidentified priority vegetation, the proposal satisfies to following criteria:

(a) The design and location of any future development will be limited, and need to conform to the constrains of building within the coastal sand dune landscape;

(b) No recommendations are made that may constrain any future development, as the landscape and topography of the site provides its own natural constrains. There are not any identified threatened vegetation species within the area, nor is any clearance proposed as part of this application.

(c) *Not applicable* as there are no impacts to be minimised from bushfire hazard management;

(d) As there have been no priority vegetation identified in the area, it is assumed there will be no residual impacts;

(e) *Not applicable,* no on-site biodiversity offsets proposed;

(f) There is an expanse of native grassland area on the plateau of the subject land, of which is regularly maintained. There are no cleared areas other than the naturally occurring temporally transient sandy open areas.

C11.0 Coastal Inundation Hazard Code

C11.7 Development Standards for Subdivision

C11.7.1 Subdivision within a coastal inundation hazard area

Objective:	
That subdivision within a coastal inundation hazard area does not create an opportunity for use or development that cannot achieve and maintain a tolerable risk from coastal inundation.	
Acceptable Solutions	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, within a coastal inundation hazard area, must: (a) be able to contain a building area, vehicle access, and services, that are wholly located outside a coastal inundation hazard area; (b) be for the creation of separate lots for existing buildings; (c) be required for public use by the Crown, a council or a State authority; or (d) be required for the provision of Utilities.	**P1** Each lot, or a lot proposed in a plan of subdivision within a coastal inundation hazard area must not create an opportunity for use or development that cannot achieve and maintain a tolerable risk from coastal inundation, having regard to: (a) any increase in risk from coastal inundation for adjacent land; (b) the level of risk to use or development arising from an increased reliance on public infrastructure; (c) the need to minimise future remediation works; (d) any loss or substantial compromise, by coastal inundation, of access to the lot on or off site; (e) the need to locate building areas outside the coastal inundation hazard area;

	(f) any advice from a State authority, regulated entity or a council; and (g) the advice contained in a coastal inundation hazard report.

Response:

P1 is met: *Not applicable* as the coastal inundation area identified for the subject land is located within the proposed balance lot, where there is an existing dwelling, and no further development or changes are proposed. The remaining proposed subdivision is outside potential inundation area and does not create an opportunity for use of development that cannot achieve and maintain a tolerable risk from coastal inundation.

C13.0 Bushfire-Prone Areas Code

Preliminary advice from bushfire consultant Mark Van den Berg of Geo-Environmental Solutions Pty Ltd, is that similar to 907 Dolphin Sands Road, buffer distances of 22m to achieve BAL 19 will allow compliance with this code. The final report will be forwarded to council as soon as it is available.

Conclusion

The planning assessment and supporting documentation provided, demonstrates that the development proposal for a 2 lot subdivision at 1433 Dolphin Sands Road, Dolphin Sands, meets all requirements of the Tasmanian Planning Scheme – Glamorgan Spring Bay.

Yours faithfully,
PDA Surveyors, Engineers & Planners
Per:

Jane Monks

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PDA
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SCHEDULE OF EASEMENTS PLAN NO. S.P.2798

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

No covenants or profits a prender are created to benefit or burden any of the lots shown on the plan.

FENCING PROVISIONS : In respect of each of the lots shown on the said plan, except lot 242 C.H.I. (Tas,) Pty. Ltd. the Vendor shall not be required to fence.

EASEMENTS :

Each Lot in Column A is together with a right of carriage way over the Lots specified in Column B and together with a right ~~of way~~ of carriage way over the Right of Way (Private) shown on the plan.

COLUMN A	COLUMN B
~~Lots 1 - 240 inclusive~~ Lots 1 to 94 and 96 to 240,	Lots 295 - 320 inclusive

Lots 295 to 320 are each subject to a right of carriageway (appurtenant to lots 1 to 94 & 96 to 240.)

THE COMMON SEAL of C.H.I. (TAS.) PTY. LTD. was hereunto affixed in the presence of RICHARD WARREN PORTER and MICHAEL JOHN DINON. The Committee appointed by the Directors for such purposes : (the beneficial owner of the land in Cert. No 41/8074)

THE COMMON SEAL of MUTUAL ACCEPTANCE LIMITED AS Mortgagee under Indenture of Mortgage No. 42/55 was hereunto affixed by authority of a resolution of the Board of Directors in the presence of -

Directors

~~Directors~~ Secretary.

CORRECT for the Purposes of the Real Property Act 1862 as amended

SIMMONS WOLFHAGEN SIMMONS & WALCH

Per:

SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

CERTIFIED CORRECT for the purposes of the Real Property Act 1862 as amended.
Simmons, Wolfhagen, Simmons and Walsh

This is the schedule of easements attached to the plan of C.H.I. (Tas). Pty. Ltd.

.....comprising part of the land in

.....
(Insert Title Reference)

Sealed by Municipality of Glamorgan on 2nd December 19 69

21926

Council Clerk/Town Clerk

Environmental **C**onsulting **O**ptions **Tas**mania

NATURAL VALUES ASSESSMENT OF 1433 DOLPHIN SANDS ROAD (PID 5280443; C.T. 54666/120648; LPI 1600139), DOLPHIN SANDS, TASMANIA

Environmental Consulting Options Tasmania (ECO*tas*) for Peter Rooke

27 October 2022

Mark Wapstra ***ABN 83 464 107 291***

28 Suncrest Avenue *email: mark@ecotas.com.au* *phone: (03) 62 283 220*

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ECO*tas*...providing options in environmental consulting

CITATION

This report can be cited as:

ECO*tas* (2022). *Natural Values Assessment of 1433 Dolphin Sands Road (PID 5280443; C.T. 54666/120648; LPI 1600139), Dolphin Sands, Tasmania.* Report by Environmental Consulting Options Tasmania (ECO*tas*) for Peter Rooke, 27 October 2022.

AUTHORSHIP

Field assessment: Mark Wapstra

Report production: Mark Wapstra

Habitat and vegetation mapping: Mark Wapstra

Base data for mapping: LISTmap, PDA

Digital and aerial photography: Mark Wapstra, GoogleEarth, LISTmap

ACKNOWLEDGEMENTS

Peter Rooke (owner) and Jane Monks (PDA) provided background information on the proposed land use.

QUALIFICATIONS

Except where otherwise stated, the opinions and interpretations of legislation and policy expressed in this report are made by the author and do not necessarily reflect those of the relevant agency. The client should confirm management prescriptions with the relevant agency before acting on the content of this report. This report and associated documents do not constitute legal advice.

Note that any reference to the Department of Primary Industries, Parks, Water & Environment (DPIPWE) now refers to the Department of Natural Resources and Environment Tasmania.

COVER ILLUSTRATION

View from across main part of title north of the existing house, showing extensive mown marram grass and adjacent coast wattle scrub and thickets.

Please note: the blank pages in this document are deliberate to facilitate double-sided printing.

CONTENTS

SUMMARY

General

Peter Rooke (owner) engaged Environmental Consulting Options Tasmania (ECO*tas*) to undertake a natural values assessment of 1433 Dolphin Sands Road (PID 5280443; C.T. 54666/120648), Dolphin Sands, Tasmania, primarily to ensure that the requirements of the identified natural values are appropriately considered during any further project planning under local, State and Commonwealth government approval protocols.

Site assessment

A natural values assessment of the study area was undertaken by Mark Wapstra (ECO*tas*) on 12 Oct. 2022.

Summary of key findings

Threatened flora

- No plant species listed as threatened on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) and/or the Tasmanian *Threatened Species Protection Act 1995* (TSPA) were detected, or are known from database information, from the study area.

Threatened fauna

- No fauna species listed as threatened on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) and/or the Tasmanian *Threatened Species Protection Act 1995* (TSPA) were detected, or are known from database information (discounting the imprecise record of *Calidris tenuirostris*, great knot, which is labelled "Dolphin Sands-Point Bagot"), from the study area.
- The study area does meet the intent of "significant habitat for a threatened fauna species", at any reasonable scale or interpretation of the concept, pursuant to the Natural Assets Code of the *Tasmanian Planning Scheme – Glamorgan-Spring Bay*.

Vegetation types

- The study area supports the following TASVEG mapping units:
  - *Acacia longifolia* coastal scrub (TASVEG code: SAL);
  - *Eucalyptus viminalis – Eucalyptus globulus* coastal forest and woodland (TASVEG code: DVC);
  - marram grassland (TASVEG code: FMG); and
  - urban areas (TASVEG code: FUR).
- None of the identified vegetation types equate to native vegetation communities listed as threatened ecological communities listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

- Occurrences of DVC equate to a native vegetation community (with the same name) listed as threatened on Schedule 3A of the Tasmanian *Nature Conservation Act 2002*.
- Occurrences of DVC usually meet the intent of "priority vegetation" pursuant to the Natural Assets Code of the *Tasmanian Planning Scheme – Glamorgan-Spring Bay*.

Weeds

- No plant species classified as declared weeds within the meaning of the Tasmanian *Weed Management Act 1999* (*Biosecurity Act 2019*) were detected from the study area

Plant disease

- No evidence of *Phytophthora cinnamomi* (PC, rootrot) was observed in susceptible species within the study area.
- No evidence of myrtle wilt was recorded from within the study area.
- No evidence of myrtle rust was recorded from within the study area.

Animal disease (chytrid)

- The study area does not support particular habitats conducive to frog chytrid disease, except at a highly localised scale (small dam).

Ramsar wetlands

- The title is within the catchment of the Moulting Lagoon Ramsar wetland.

Adjacent reserve

- The title is immediately adjacent to an informal reserve (Public Reserve) under the *Crown Lands Act 1998*.

Recommendations

The recommendations provided below are a summary of those provided in relation to each of the natural values described in the main report. The main text of the report provides the relevant context for the recommendations.

Vegetation types

In general terms, minimising the extent of "clearance and conversion" and/or "disturbance" to native vegetation is recommended.

Furthermore, it is recommended that the extent of DVC in the northeast of proposed Lot 1 be identified on any relevant site plans and be specifically excluded from works/development (this is mainly in relation to the access from Dolphin Sands Road but also possibly future fencing).

Threatened flora

None present, such that species management is not required.

Threatened fauna

Apart from the generic recommendation to minimise the extent of "clearance and conversion" and/or "disturbance" to native vegetation, specific management in relation to threatened fauna is not recommended.

Weed and disease management

Longer-term special management (e.g. a complex weed management plan) is not considered warranted because owner occupation is considered the most appropriate (and realistic) means of achieving control of any declared species (should they become established), where vigilance and immediate control are practical.

Adjacent reserve

The title is immediately adjacent to an informal reserve (Public Reserve) under the *Crown Lands Act 1998*.

It is recommended that:

- any fencing of the private titles minimise the impact to the native vegetation within the reserve, and that any such fencing be undertaken in consultation with the land manager; and
- any development within the title include a soil and water management plan developed by a suitably qualified person that aims to minimise impacts to the adjacent reserve.

Legislative and policy implications

There are no formal requirements for a permit under Section 51 of the Tasmanian *Threatened Species Protection Act 1995* (TSPA).

A formal referral to the relevant Commonwealth agency under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) is not considered required.

Subdivision and subsequent development will require a planning permit pursuant to the provisions of the *Tasmanian Planning Scheme – Glamorgan Spring Bay*. In my opinion, the proposed development should meet the intent of P1.1 & P1.2 of C7.7.2 (and any future development should meet the intent of P1.1 & P1.2 of C7.6.2) of the Natural Assets Code, without the need for specific permit conditions in relation to natural values, provided that design can demonstrate the exclusion of the patch of DVC vegetation in the northeast of proposed Lot 1.

INTRODUCTION

Purpose

Peter Rooke (owner) engaged Environmental Consulting Options Tasmania (ECO*tas*) to undertake a natural values assessment of 1433 Dolphin Sands Road (PID 5280443; C.T. 54666/120648), Dolphin Sands, Tasmania, primarily to ensure that the requirements of the identified natural values are appropriately considered during any further project planning under local, State and Commonwealth government approval protocols.

Scope

This report relates to:

- flora and fauna species of conservation significance, including a discussion of listed threatened species (under the Tasmanian *Threatened Species Protection Act 1995* and/or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*) potentially present, and other species of conservation significance/interest;
- vegetation types (forest and non-forest, native and exotic) present, including a discussion of the distribution, condition, extent, composition and conservation significance of each community;
- plant and animal disease management issues;
- weed management issues; and
- a discussion of some of the policy and legislative implications of the identified natural values.

This report follows the government-produced *Guidelines for Natural Values Surveys – Terrestrial Development Proposals* (DPIPWE 2015) in anticipation that the report (or extracts of it) may be required as part of various approval processes.

The report format should also be applicable to other assessment protocols as required by the relevant Commonwealth agency (for any referral/approval that may be required under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*), which is unlikely to be required in this case.

More specifically, this assessment and report have been prepared to address specific provisions of the *Tasmanian Planning Scheme – Glamorgan Spring*, with particular reference to the natural values/biodiversity provisions of the Natural Assets Code.

Limitations

The natural values assessment was undertaken on 12 Oct. 2022. Many plant species have ephemeral or seasonal growth or flowering habits, or patchy distributions (at varying scales), and it is possible that some species were not recorded for this reason. However, every effort was made to sample the range of habitats present in the survey area to maximise the opportunity of recording most species present (particularly those of conservation significance). Late spring and into summer is usually regarded as the most suitable period to undertake most botanical assessments. While some species have more restricted flowering periods, a discussion of the potential for the site to support these is presented. In this case, I believe that the survey was appropriately timed to detect

the species with a highest priority for conservation management in this part of the State, with particular reference to two target species viz. *Pterostylis ziegeleri* (grassland greenhood) and *Stenopetalum lineare* (narrow threadpetal), both of which were in full flower at nearby sites on the day of assessment.

The survey was also limited to vascular species: species of mosses, lichens and liverworts were not recorded. However, a consideration is made of threatened species (vascular and non-vascular) likely to be present (based on habitat information and database records) and reasons presented for their apparent absence.

Surveys for threatened fauna were largely limited to an examination of "potential habitat" (i.e. comparison of on-site habitat features to habitat descriptions for threatened fauna), and detection of tracks, scats and other signs.

Permit

Any plant material was collected under DNRET permit TFL 22382 (in the name of Mark Wapstra). Relevant data will be entered into DNRET's *Natural Values Atlas* database by the author. Some plant material may be lodged at the Tasmanian Herbarium by the author.

No vertebrate or invertebrate material was collected. A permit is not required to undertake the type of habitat-level assessment described herein.

LAND USE PROPOSAL

The land use proposal is for a 3-lot residential subdivision (Figure 4): while the draft design was available at time of survey, the whole title was considered, including the verge of Dolphin Sands Road with respect to future access points, such that minor changes to the design will not require a new natural values assessment.

STUDY AREA

Overview

The study area (Figures 1-3) comprises the subject title of 1433 Dolphin Sands Road, Dolphin Sands, with the following details:

- PID 5280443;
- C.T. 54666/206;
- LPI 1600319.

The title is ca. 37,673.145 m^2 (i.e. ca. 3.77 ha) in extent (computed area as per LISTmap).

Land tenure and other categorisations relevant to natural values management of the study area are as follows:

- Glamorgan Spring Bay municipality, zoned as Particular Purpose – Dolphin Sands pursuant to the *Tasmanian Planning Scheme – Glamorgan Spring Bay* (Figure 5) and subject to the following overlays:
    - Priority Vegetation Area (Figure 6a) – whole title and surrounds;

- Waterway and Coastal Protection Area (Figure 6b) – most of title and extensively to the east/southeast in the adjacent reserve;
- Bushfire-prone Areas (Figure 6c) – whole title and surrounds;
- Future Coastal Refugia (Figure 6d) – tiny part of northeast part of title and extensively to the east/southeast in the adjacent reserve; and
- Coastal Inundation Hazard – Low (Figure 6e) – parts of southwest and northeast of title and extensively to the east/southeast in the adjacent reserve.

- South East bioregion, according to the IBRA 7 bioregions used by most government agencies); and
- NRM South Natural Resource Management (NRM) region.

The title is bound to the northeast and northwest by Dolphin Sands Road, across which there are private titles, to the southwest by an occupied private title, and to the southeast by an informal reserve (Public Reserve) under the *Crown Lands Act 1998* (Figure 7). The title is within the catchment of the Moulting Lagoon Ramsar (Wetland of International Significance) site (Figure 8).

The title is currently informally occupied by an old house and another structure, the latter straddling the boundary of the title (Plates 1-4), accessed by a well-formed gravel drive (Plates 5 & 6) from Dolphin Sands Road (Plates 7-10). None of the boundaries are formally fenced or otherwise obviously marked in any way (except by reference to the more recent survey).

Plates 1-4. Part of title currently supporting an old residence (not currently occupied – owner occupies a caravan on site) with extensive historical and contemporary clearing of mainly marram grassland and coast wattle scrub in surrounding areas

Plates 5 & 6. Well-formed existing gravel drive

Plates 7 & 8. Verge of Dolphin Sands Road outside title:
(LHS – looking northeast; RHS – looking southwest)

Other site features

Most of the title is disturbed in some manner, either by existing occupation prior to the present owner (e.g. see Plates 1-6). Older topographic maps (e.g. Figure 2) show most of the title as white (cleared or at least non-forest) rather than green (vegetated) and these very loosely coincide with what is now a mosaic of frequently slashed marram grassland amongst fringes and tongues of coast wattle scrub (Plates 9-14), with only a tiny remnant of eucalypt forest in the far northeast corner, which extends to the adjacent reserve (Plates 15 & 16).

Topographically, the title is a series of low to moderately gentle to slightly steeper shifting dunes with variable aspects developed at ca. 2-8 m a.s.l. There are no marked drainage features on topographic maps and none observed on site assessment, with only one small artificial waterhole nestled amongst the dune scrub (Plate 17).

LISTmap's Fire History layer indicates that the whole title and surrounds were impacted by the Dolphin Sands bushfire of 25 Nov. 1996 (Figure 9), which accords with the now dense dune scrub regrowth (see Plates 9-13).

The geology of the title is wholly mapped (Figure 10) as Quaternary-age "sand, gravel and mud of alluvial, lacustrine and littoral origin" (geocode: Qh). The geology is mentioned because of its strong influence on vegetation classification, association with threatened flora, and to a lesser

extent, threatened fauna. Site assessment confirmed that the site is wholly on dune sands (refer Plates 9-14 for examples and Plates 18 & 19).

Plates 9-12. Examples of mosaic of coast wattle scrub, marram grass and sandy openings

Plates 13 & 14. Frequently slashed marram grassland that occupies a large part of the title

Plates 15 & 16. Small patch of *Eucalyptus viminalis*-dominated low forest in northeast of title

Plate 17. Small waterhole amongst dune scrub

Plates 18 & 19. Examples of dune sands that dominate the study area

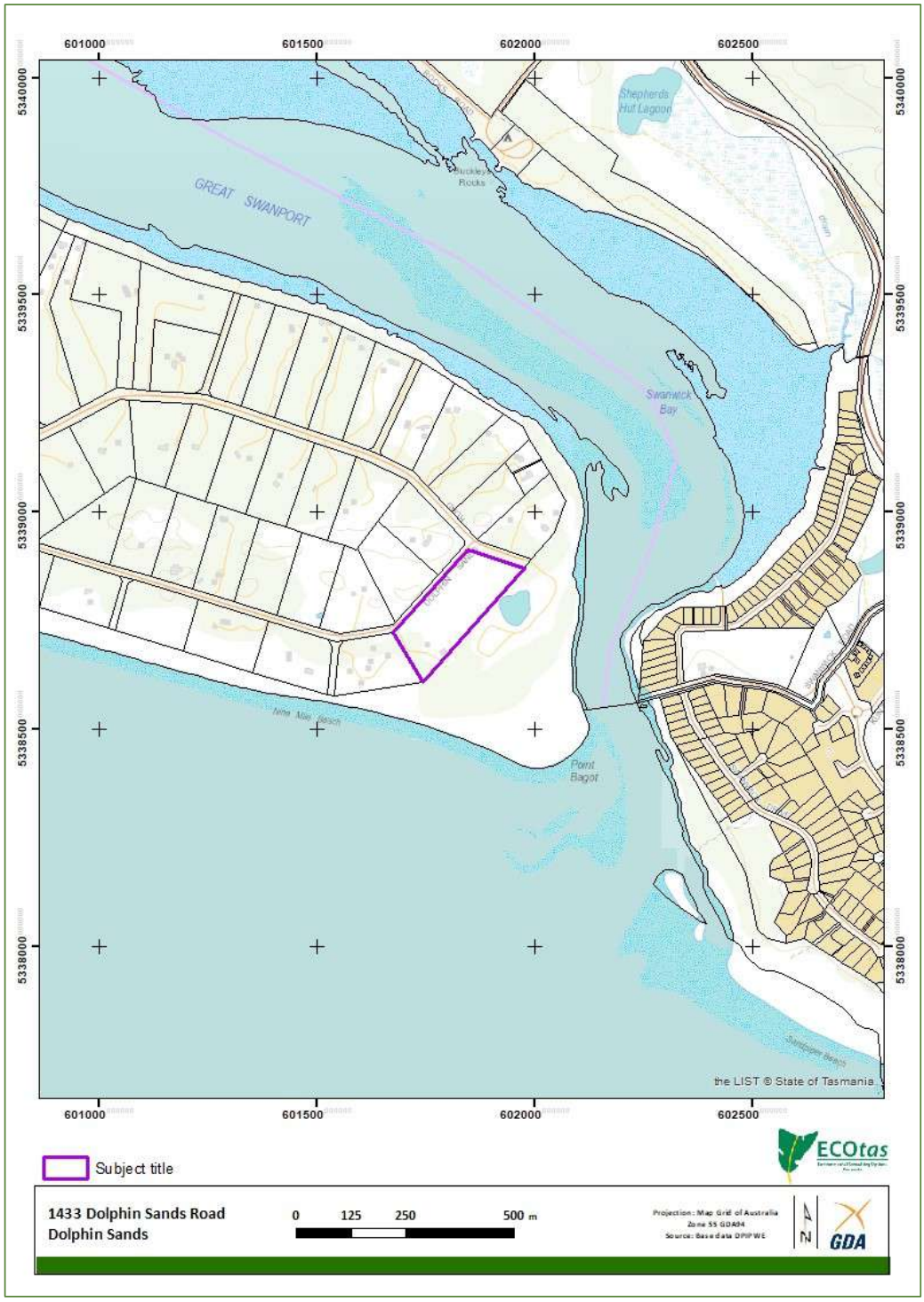

Figure 1. General location of the study area

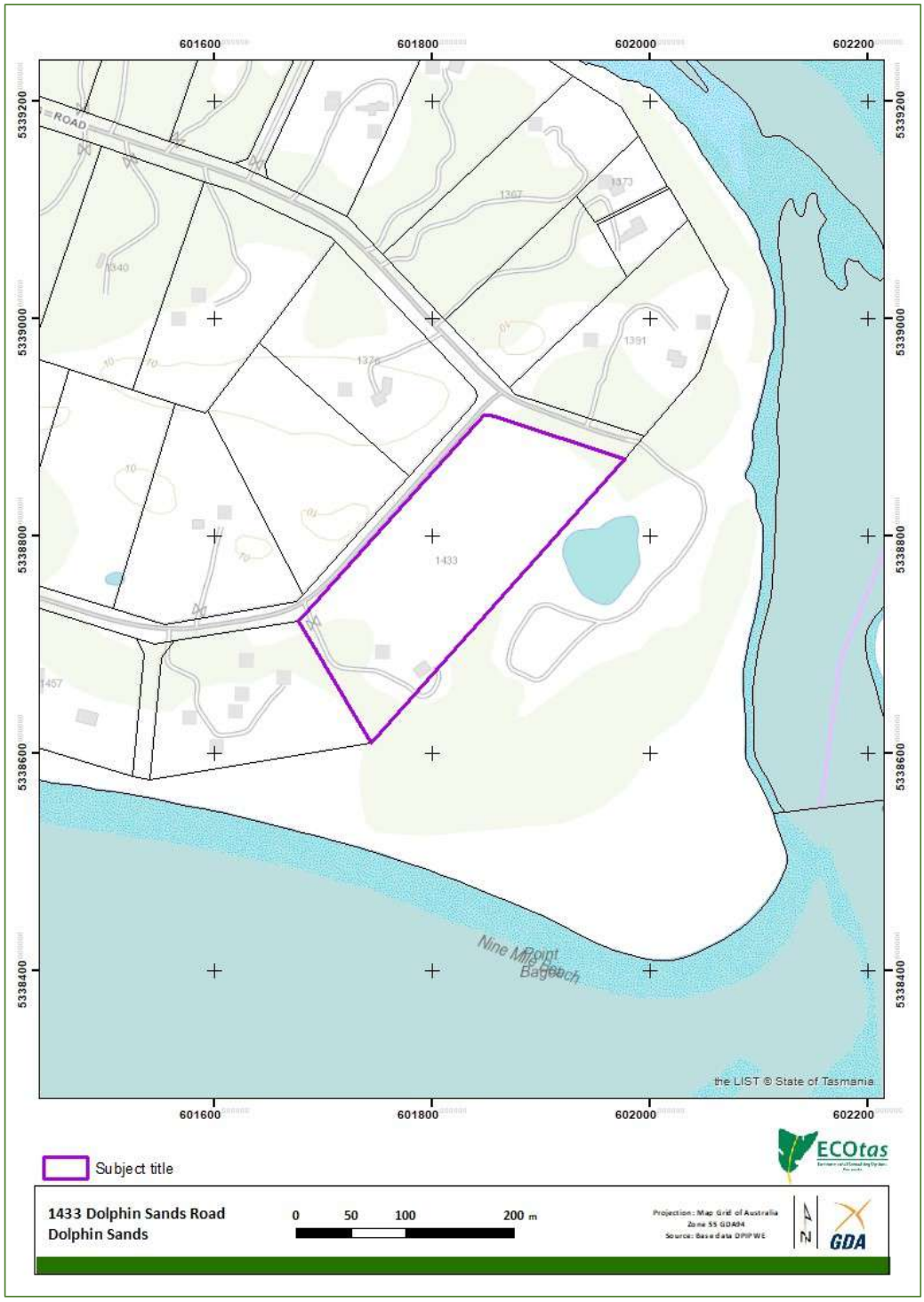

Figure 2. Detailed location of the study area showing general topographic and cadastral features

Figure 3a. Detailed location of the study area showing recent aerial imagery (LISTmap orthoimagery) and cadastral boundaries

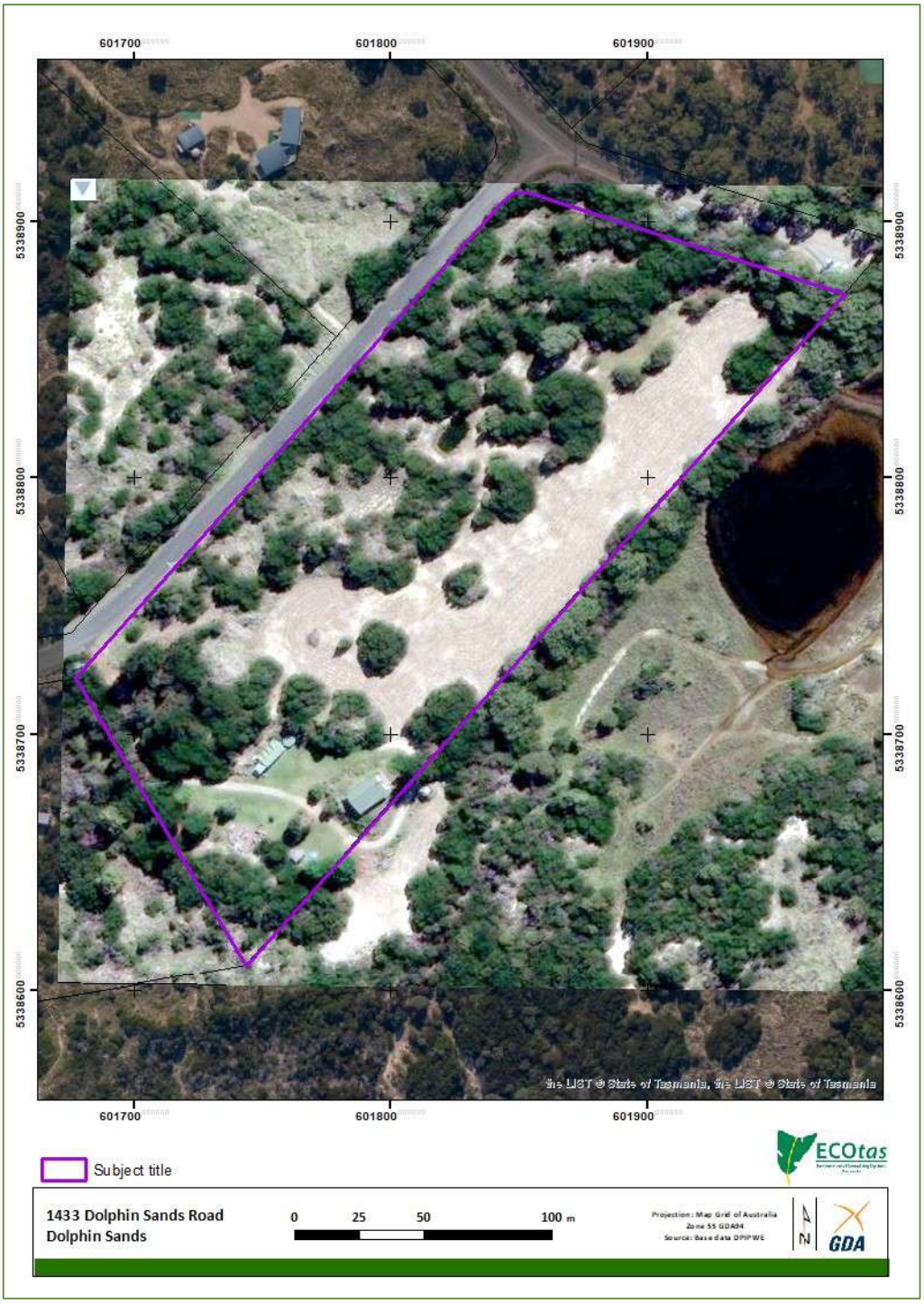

Figure 3b. Detailed location of the study area showing recent aerial imagery (ESRI via LISTmap) and cadastral boundaries

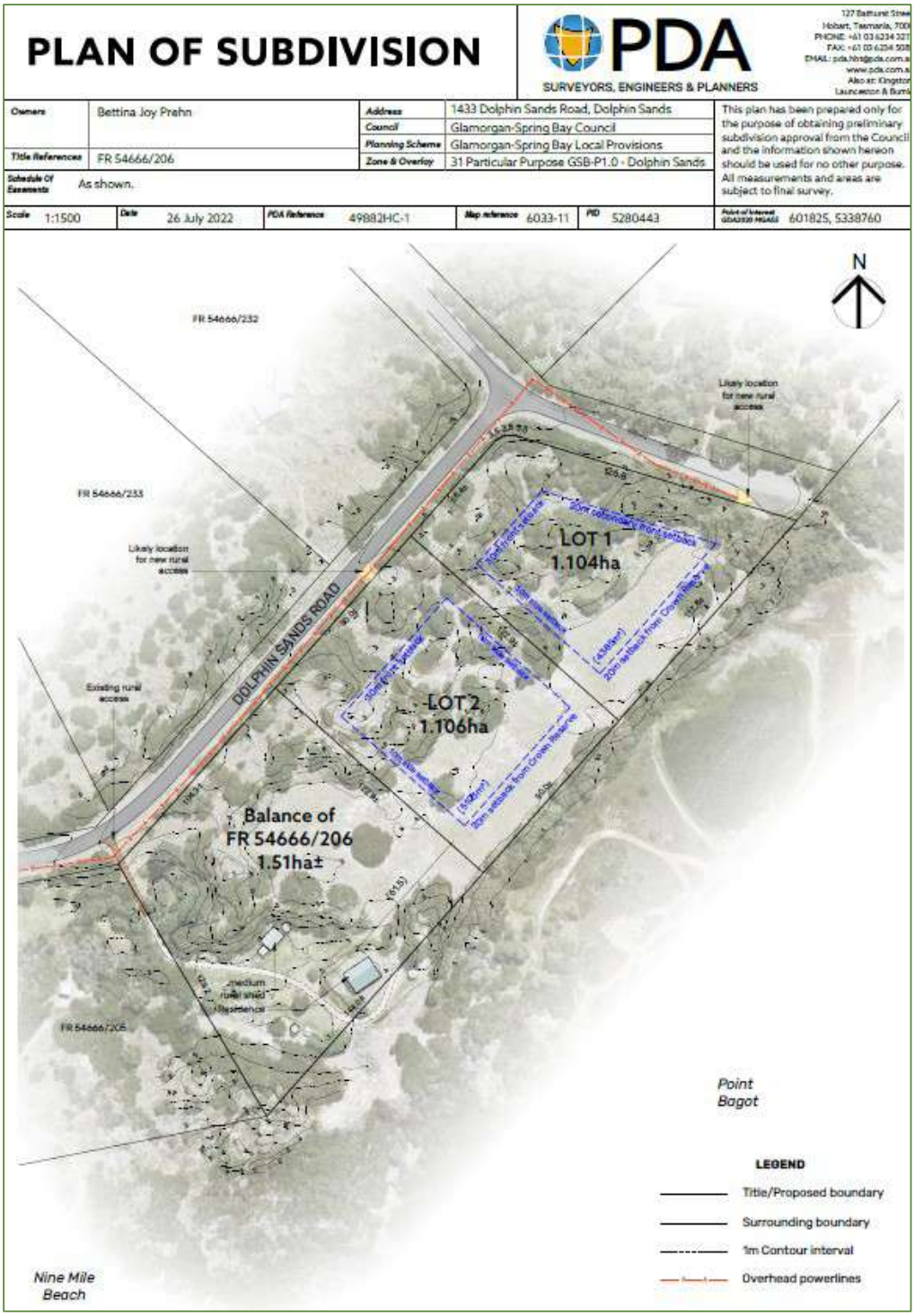

Figure 4. Proposed land use [source: PDA]

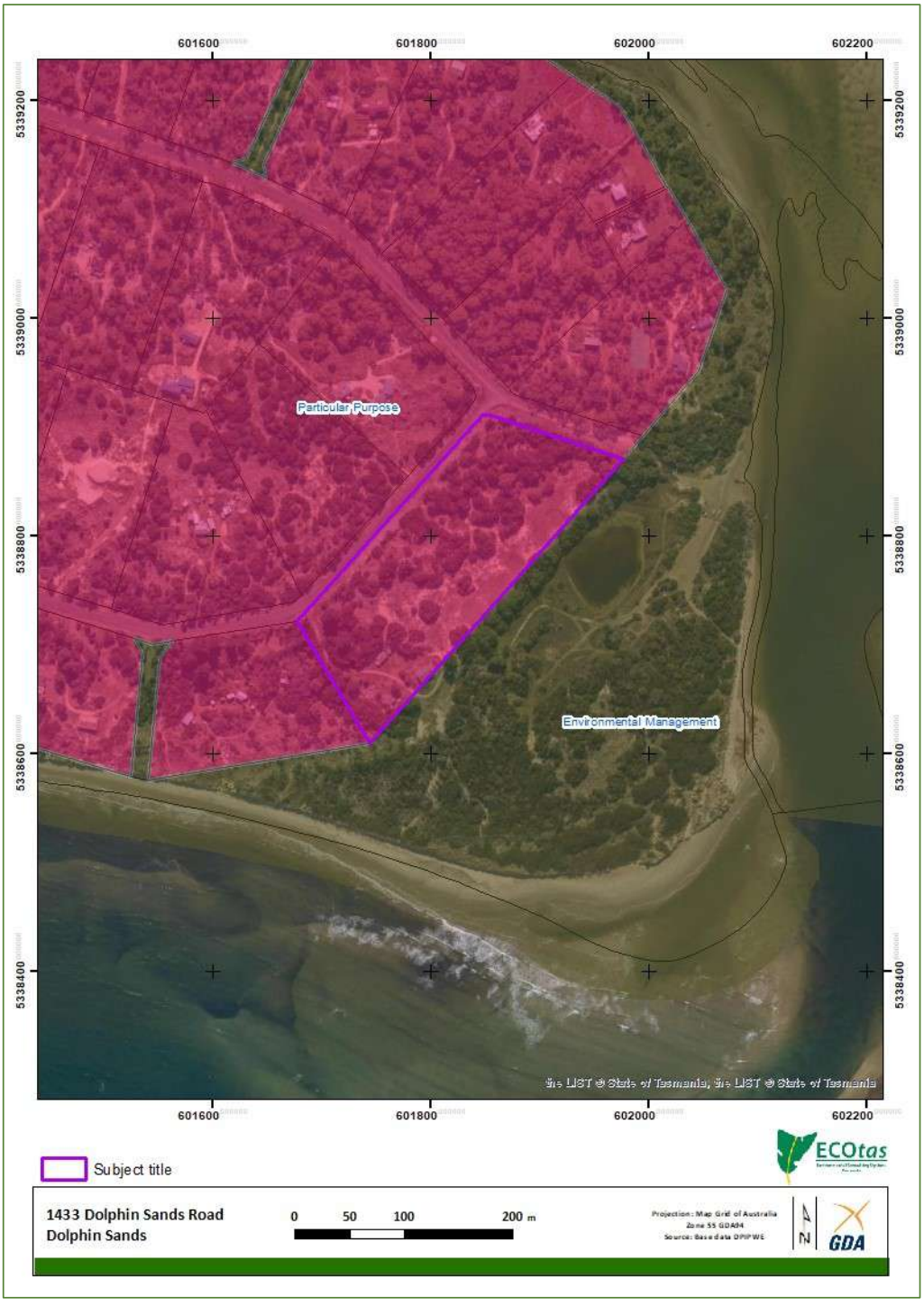

Figure 5. Zoning of subject title and surrounds pursuant to the *Tasmanian Planning Scheme – Glamorgan Spring Bay*

Figure 6a. Extent of Priority Vegetation Area overlay within and adjacent to the title pursuant to the pursuant to the *Tasmanian Planning Scheme – Glamorgan Spring Bay*

Figure 6b. Extent of Waterway and Coastal Protection Area overlay within and adjacent to the title pursuant to the pursuant to the *Tasmanian Planning Scheme – Glamorgan Spring Bay*

Figure 6c. Extent of Bushfire-prone Areas overlay within and adjacent to the title pursuant to the pursuant to the *Tasmanian Planning Scheme – Glamorgan Spring Bay*

Figure 6d. Extent of Future Coastal Refugia overlay within and adjacent to the title pursuant to the pursuant to the *Tasmanian Planning Scheme – Glamorgan Spring Bay*

Figure 6e. Extent of Coastal Inundation Hazard – Low overlay within and adjacent to the title pursuant to the pursuant to the *Tasmanian Planning Scheme – Glamorgan Spring Bay*

Figure 7. Adjacent land tenure showing informal reserves (pink) and formal reserves (named in green)

Figure 8. Location of Moulting Lagoon Ramsar site

Figure 9. Fire history for subject title and surrounds

Figure 10. Geology of the subject title and surrounds

METHODS

Nomenclature

All grid references in this report are in GDA94, except where otherwise stated.

Vascular species nomenclature follows de Salas & Baker (2022) for scientific names and Wapstra et al. (2005+) for common names. Fauna species scientific and common names follow the listings in the cited *Natural Values Atlas* report (DNRET 2022a).

Vegetation classification follows TASVEG 4.0, as described in *From Forest to Fjaeldmark: Descriptions of Tasmania's Vegetation (*Kitchener & Harris 2013+).

Preliminary investigation

Available sources of previous reports, threatened flora records, vegetation mapping and other potential environmental values were interrogated. These sources include:

- Tasmanian Department of Natural Resources and Environment Tasmania's *Natural Values Atlas* records for threatened flora and fauna (GIS coverage maintained by the author current as at date of report);
- Tasmanian Department of Natural Resources and Environment Tasmania's *Natural Values Atlas* report ECOtas_1433DolphinSandsRoad for a polygon defining the subject title (centred on 601814mE 5338776mN), buffered by 5 km, dated 17 Oct. 2022 (DNRET 2022a) – Appendix E;
- Forest Practices Authority's *Biodiversity Values Database* report, specifically the species' information for grid reference centroid 601814mE 5338776mN (i.e. a point defining the approximate centre of the assessment area), buffered by 5 km and 2 km for threatened fauna and flora records, respectively, hyperlinked species' profiles and predicted range boundary maps, dated 17 Oct. 2022 (FPA 2022) – Appendix F;
- Commonwealth *Protected Matters Report* for a polygon defining the subject title, buffered by 5 km, dated 17 Oct. 2022 (CofA 2022) – Appendix G;
- the TASVEG 3.0, TASVEG 4.0 & TASVEG Live vegetation coverages (as available through GIS coverage and via LISTmap);
- GoogleEarth, LISTmap and ESRI aerial orthoimagery; and
- other sources listed in tables and text as indicated.

Field assessment

The assessment was undertaken by Mark Wapstra (ECO*tas*) on 12 Oct. 2022. Cadastral data uploaded to the iGIS application guided the in-field assessment (most boundaries unfenced with limited survey markers). Meandering transects were used to capture the greater range of aspects, slopes and site conditions.

The survey was not limited by access due to the simple configuration of the title and generally open understorey.

All data was captured using hand-held GPS (Garmin Oregon 600).

Vegetation classification

Vegetation was classified by waypointing vegetation transitions for later comparison to aerial imagery. The structure and composition of the vegetation types was described using a nominal 30 m radius plot at a representative site within the vegetation types, and compiling a "running" species list for the balance of the vegetation.

Threatened flora

With reference to the threatened flora, the survey included consideration of the most likely habitats for such species. No threatened flora were encountered so further methods are not presented.

Threatened fauna

Surveys for threatened fauna were largely limited to an examination of "potential habitat" (i.e. comparison of on-site habitat features to habitat descriptions for threatened fauna), and detection of tracks, scats and other signs.

Weed and hygiene issues

The study area was assessed with respect to plant species classified as declared weeds under the Tasmanian *Weed Management Act 1999*, Weeds of National Significance (WoNS) or "environmental weeds" (author opinion and as included in *A Guide to Environmental and Agricultural Weeds of Southern Tasmania*, NRM South 2017).

The study area was assessed with respect to potential impacts of plant and animal pathogens, by reference to habitat types and field symptoms.

FINDINGS

Vegetation types

Comments on TASVEG mapping

This section, which comments on the existing TASVEG mapping for the study area, is included to highlight the differences between existing mapping and the more recent mapping from the present study to ensure that any parties assessing land use proposals (via this report) do not rely on existing mapping. Note that TASVEG mapping, which was mainly a desktop mapping exercise based on aerial photography, is often substantially different to ground-truthed vegetation mapping, especially at a local scale. An examination of existing vegetation mapping is usually a useful pre-assessment exercise to gain an understanding of the range of habitat types likely to be present and the level of previous botanical surveys.

In this case, it is useful to examine both TASVEG 3.0 & 4.0 mapping because while the latter should be the most up-to-date, the former has been used to inform the *Tasmanian Planning Scheme* and specifically the Regional Ecosystem Model's mapping of the Priority Vegetation Area overlay.

In this case, TASVEG 3.0, 4.0 & Live (Figure 11) all map the title identically *Acacia longifolia* coastal scrub (TASVEG code: SAL).

Vegetation types recorded as part of the present study

Vegetation types have been classified according to TASVEG 4.0, as described in *From Forest to Fjaeldmark: Descriptions of Tasmania's Vegetation* (Kitchener & Harris 2013+). Table 1 provides information on the mapping units identified from the subject title (see also Figure 12). Refer to Appendix A for a more detailed description of the native vegetation mapping units identified from the subject title.

Table 1. Vegetation mapping units present in the subject title

[conservation status: NCA – as per Schedule 3A of the Tasmanian *Nature Conservation Act 2002*, using units described by Kitchener & Harris (2013+), relating to TASVEG mapping units (DNRET 2022b); EPBCA – as per the listing of ecological communities on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*, relating to communities as described under that Act, but with equivalencies to TASVEG units]

TASVEG mapping unit (Kitchener & Harris 2013+)	**Conservation priority** NCA *EPBCA*	**Comments**
Scrub, heathland and coastal complexes		
Acacia longifolia coastal scrub (SAL)	not threatened *not threatened*	Much of the title is dominated by *Acacia longifolia* subsp. *sophorae* (coast wattle), with only very minor occurrences of other native shrubs. The distinction between SAL and DVC along the northeastern boundary was GPSed but is well-defined by the shift between a canopy of *Eucalyptus viminalis* (white gum) to the east and *Acacia longifolia* subsp. *sophorae* (coast wattle) to the west. Note that I have taken a broad approach to the concept of SAL, including some areas of open sand and marram grass, recognising the mosaic will shift geographically and temporally.
Dry eucalypt forest and woodland		
Eucalyptus viminalis – Eucalyptus globulus coastal forest and woodland (DVC)	threatened *not threatened*	The northeast corner of the title supports a very small area of DVC, where there is a relatively dense (but quite low) canopy of *Eucalyptus viminalis* (white gum) with a dense shrubby understorey developed on loose white sands, which extends into the adjacent informal reserve and immediate verge of the end of Dolphin Sands Road. Despite its small area, the patch of DVC is in good condition with no weeds or symptoms of disease noted.
Modified land		
urban areas (FUR)	not threatened *not threatened*	Consistent with the gradual approach of TASVEG Live in recognising developed parts of otherwise vegetated titles as FUR, the access and house site with its immediate surrounds have been excised as FUR.
marram grassland (FMG)	not threatened *not threatened*	FMG occupies a relatively large portion of the title, which was probably historically cleared white gum forest that reverted to coast wattle scrub and then cleared again, now maintained for many years through slashing, resulting in an almost continuous cover of *Ammophila arenaria* (marram grass). Scattered *Acacia longifolia* subsp. *sophorae* (coast wattle) clumps occur within and fringing the area mapped as FMG.

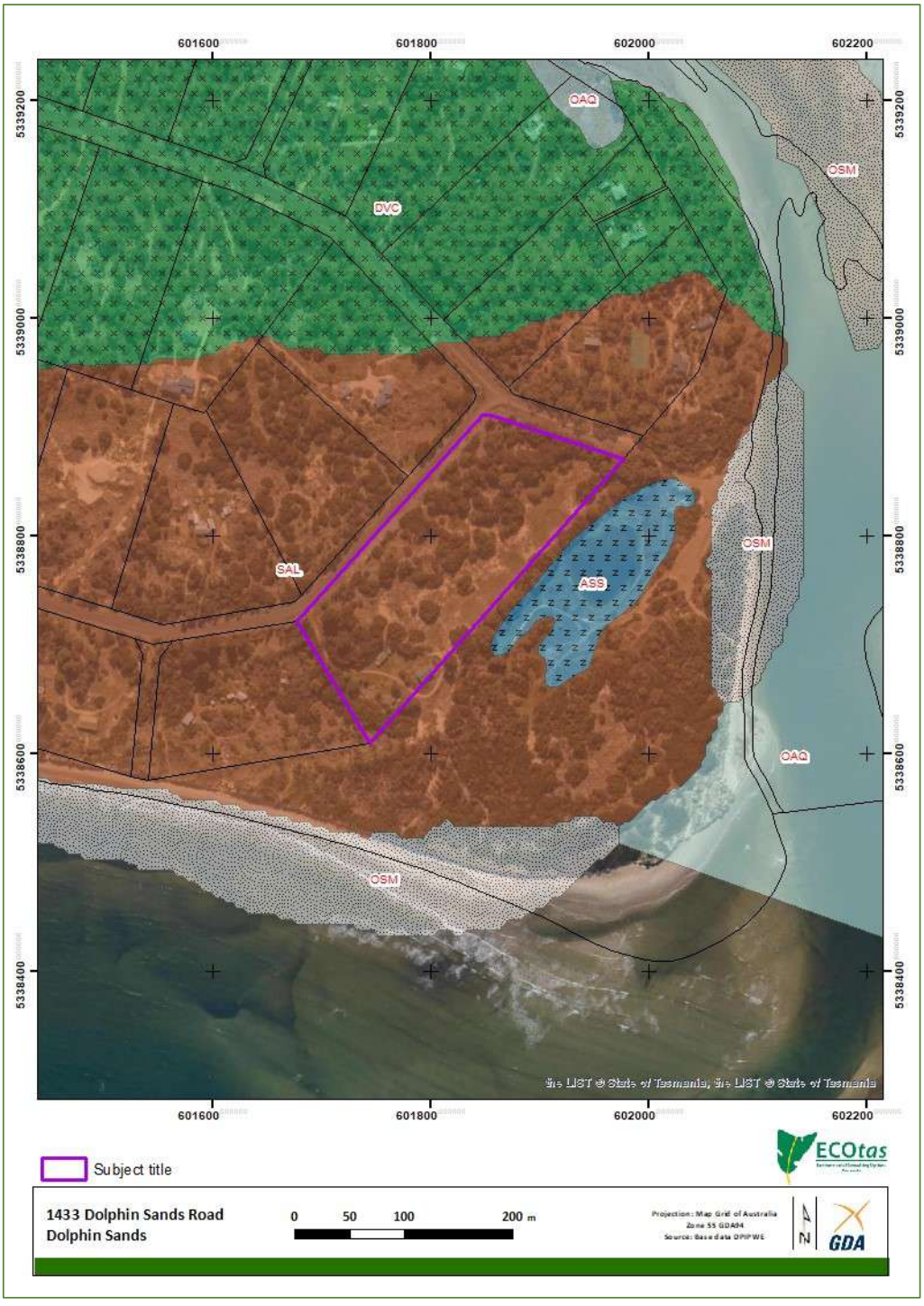

Figure 11. Study area and surrounds showing existing TASVEG 3.0, 40. & Live vegetation mapping (see text for codes)

Figure 12. Revised vegetation mapping for the subject title (see text for codes)

Conservation significance of identified native vegetation type

None of the identified vegetation types equate to native vegetation communities listed as threatened ecological communities listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

Occurrences of DVC equate to a native vegetation community (with the same name) listed as threatened on Schedule 3A of the Tasmanian *Nature Conservation Act 2002*.

Occurrences of DVC usually meet the intent of "priority vegetation" pursuant to the Natural Assets Code of the *Tasmanian Planning Scheme – Glamorgan-Spring Bay*, which is defined as follows:

C7.3 Definition of Terms

C7.3.1 In this code, unless the contrary intention appears:

means native vegetation where any of the following apply:

(a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the *Nature Conservation Act 2002*;

(b) is a threatened flora species;

(c) it forms a significant habitat for a threatened fauna species; or

(d) it has been identified as native vegetation of local importance.

That is, C7.3.1(a) is applicable to the small area of DVC, noting that I consider the patch to be "an integral part of a threatened native vegetation community" because the patch continued across title into an informal Crown reserve. Refer to **DISCUSSION *Legislative and policy implications*** for a more detailed analysis of this concept.

Plant species

General information

A total of 35 vascular plant species were recorded from the subject title (Appendix B), comprising 20 dicotyledons (including 6 naturalised species), 13 monocotyledons (including 5 naturalised species) and 2 gymnosperms (naturalised). This very low species diversity is highly typical of the identified vegetation types in this part of the State.

Additional surveys at different times of the year may detect additional short-lived herbs and grasses but a follow-up survey is not considered warranted because of low likelihood of species with a high priority for conservation management being present.

Threatened flora

Database information indicates that the subject title does not support known populations of flora listed as threatened on the Tasmanian *Threatened Species Protection Act 1995* and/or the Commonwealth *Environment Protection and Biodiversity Protection Act 1999* (Figure 13). Site assessment did not detect any such species.

Figure 13 indicates threatened flora species near to the study area and Table C1 (Appendix C) provides a listing of threatened flora from within 5,000 m of the study area (nominal buffer width usually used to discuss the potential of a particular study area to support various species listed in databases), with comments on whether potential habitat is present for the species, and possible reasons why a species was not recorded.

Threatened fauna

Database information indicates that the subject title does not support known populations of fauna listed as threatened on either the Tasmanian *Threatened Species Protection Act 1995* and/or the Commonwealth *Environment Protection and Biodiversity Protection Act 1999* (Figure 14a). The imprecise record of *Calidris tenuirostris*, great knot, which is labelled "Dolphin Sands-Point Bagot", which lands in the northeast corner of the title is discounted as this is a wading migratory bird and would have been recorded on the adjacent mudflats, database Site assessment did not detect any such species.

Figure 14a indicates threatened fauna species near to the study area and Table D1 (Appendix D) provides a listing of threatened fauna from within 5,000 m of the study area (nominal buffer width usually used to discuss the potential of a particular study area to support various species listed in databases), with comments on whether potential habitat is present for the species, and possible reasons why a species was not recorded.

Note that there several recorded nests of *Haliaeetus leucogaster* (white-bellied sea-eagle) along the Dolphin Sands spit but none are within the notional 500 m or 1,000 m line-of-sight management zones often applied to such sites (Figure 14a). There is no modelled potential habitat within or immediately adjacent to the title, with any nearby modelled habitat in the lowest predicted categories (Figure 14b), all of which is mainly coast wattle scrub and low eucalypt forest on occupied lots i.e. there is no potential nesting habitat requiring searching.

With specific reference to Pardalotus quadragintus (forty-spotted pardalote), while there is some *Eucalyptus viminalis* (white gum) forest (and scattered individuals) present, the species appears to be absent from the Dolphin Sands area (refer to Appendix D for more details).

In my opinion, no part of the title qualifies as "priority vegetation" because of the presence of "significant habitat for a threatened fauna species" within the intent of C7.3.1(c) of the Natural Assets Code of the *Tasmanian Planning Scheme – Glamorgan Spring Bay*, where "significant habitat" is defined under the *Scheme* as follows:

> "the habitat within the known or core range of a threatened fauna species, where any of the following applies:
>
> (a) is known to be of high priority for the maintenance of breeding populations throughout the species' range; or
>
> (b) the conversion of it to non-priority vegetation is considered to result in a long-term negative impact on breeding populations of the threatened fauna species".

Problematically, the *Scheme* does not define the terms "known" or "core" range, which means this could rely on those used by other agencies such as the Forest Practices Authority and/or the Department of Natural Resources and Environment Tasmania, which are effectively presented in the relevant database reports (DNRET 2022a; FPA 2022). While the subject site is within the so-called "known or core range" of some listed fauna species, in no manner can any part of the site be assigned as being of "high priority for the maintenance of breeding populations throughout the species' range" at any reasonable scale (see Appendix D for a more detailed analysis of this) or be in any way construed as meeting the intent of a scenario in which "the conversion of it [i.e. "significant habitat"] to non-priority vegetation [could be] considered to result in a long-term negative impact on breeding populations of the threatened fauna species" (see also Appendix D for a more detailed analysis of this).

That is, C7.3.1(c) is not applicable. Refer to **DISCUSSION *Legislative and policy implications*** for a more detailed analysis of this concept.

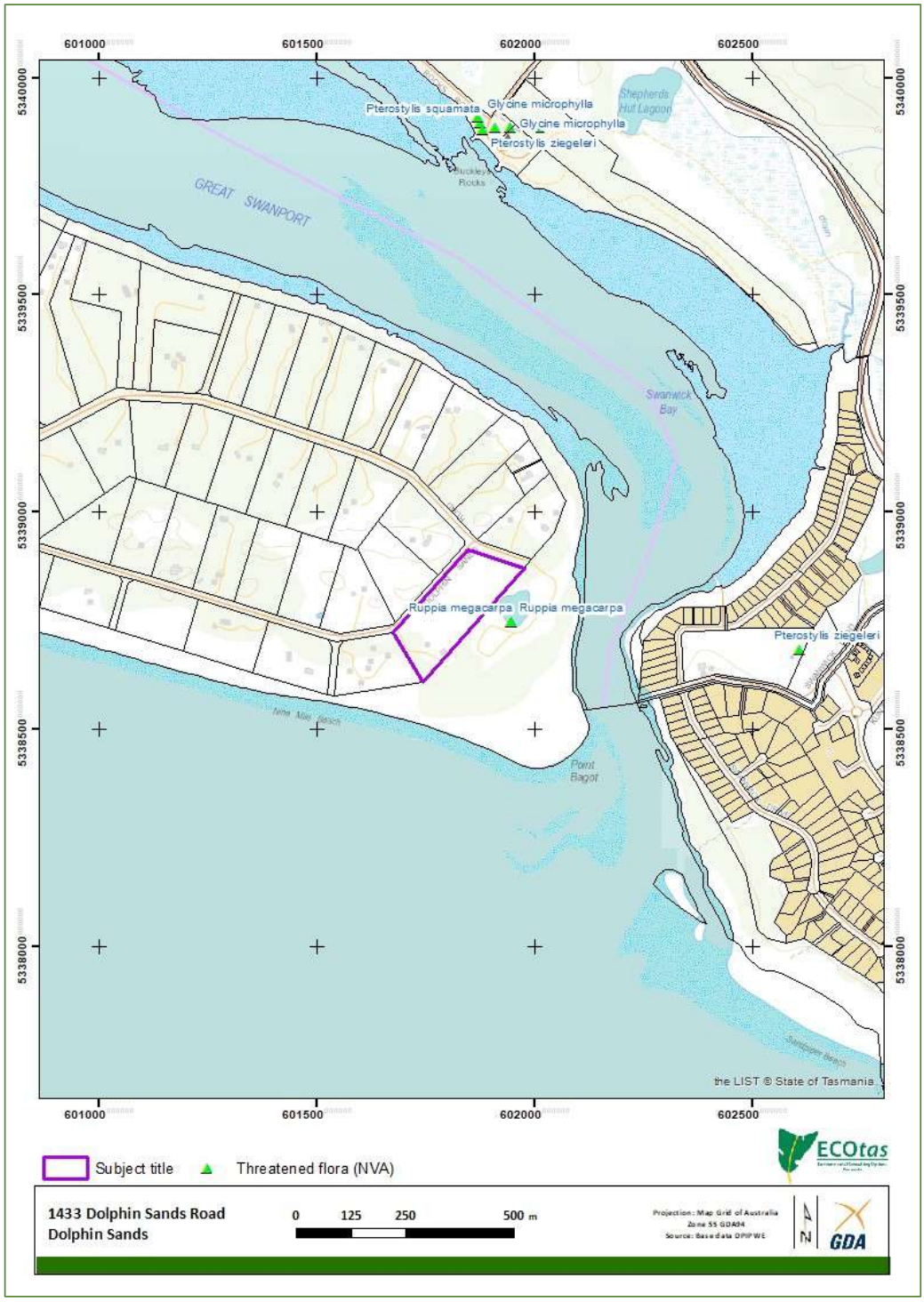

Figure 13. Distribution of threatened flora close to the study area (overview)

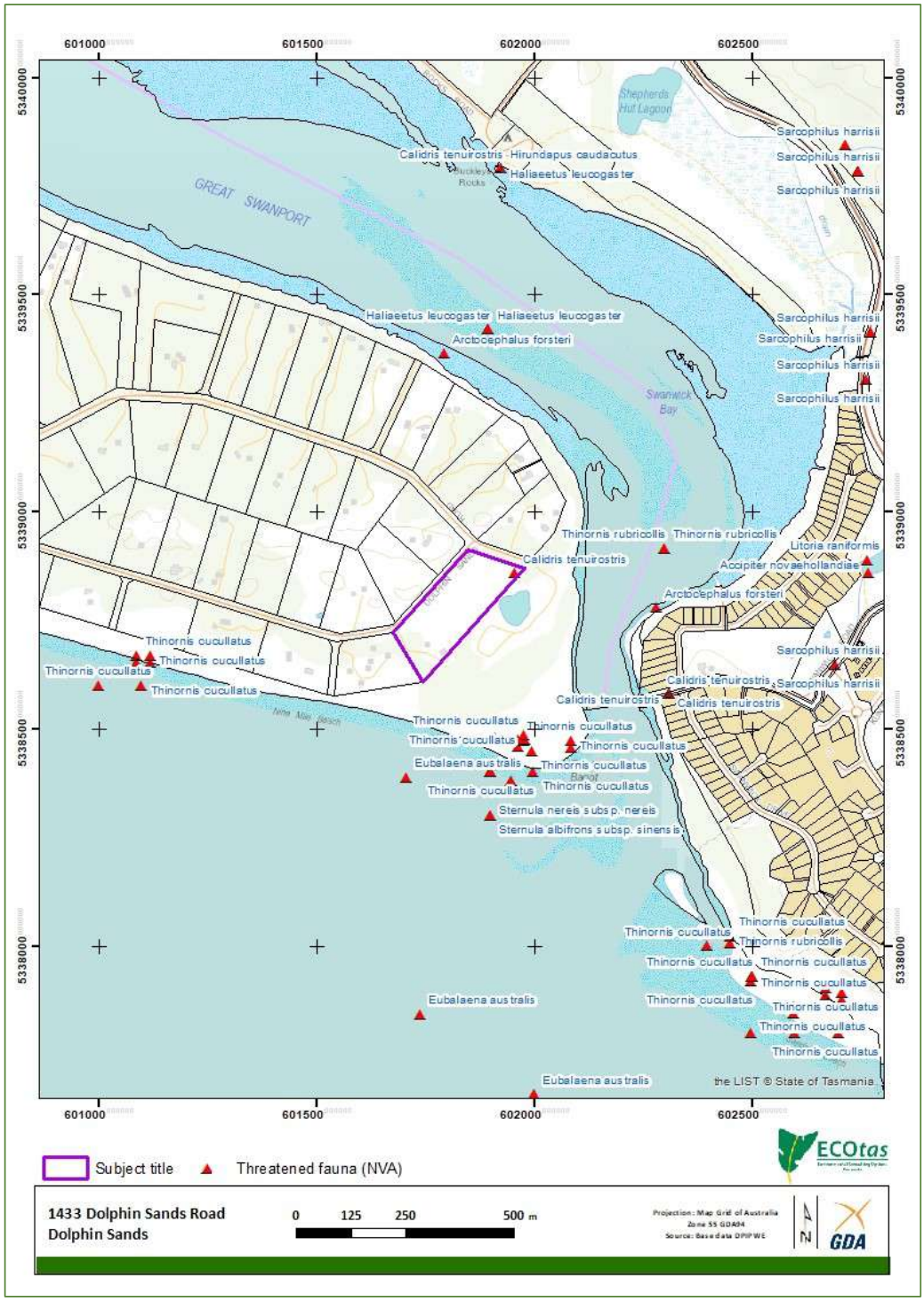

Figure 14a. Distribution of threatened fauna close to the study area (overview)

Figure 14b. Indicative modelled potential eagle nesting habitat (all low to very low)

Other natural values

Weed species

No plant species classified as declared weeds within the meaning of the Tasmanian *Weed Management Act 1999* (*Biosecurity Act 2019*) were detected from the subject title.

Given that access to the title will be from the fully-formed, sealed and well-maintained Dolphin Sands Road, the risk of construction machinery and vehicles introducing weeds to the subject title is considered low.

Longer-term special management (e.g. a complex weed management plan) is not considered warranted because owner occupation is considered the most appropriate (and realistic) means of achieving control of any declared species (should they become established), where vigilance and immediate control are practical.

Several planning manuals provide guidance on appropriate management actions, which can be referred to develop site-specific prescriptions for any proposed works in the study area. These manuals include:

- Allan, K. & Gartenstein, S. (2010). *Keeping It Clean: A Tasmanian Field Hygiene Manual to Prevent the Spread of Freshwater Pests and Pathogens*. NRM South, Hobart;
- Rudman, T. (2005). *Interim* Phytophthora cinnamomi *Management Guidelines*. Nature Conservation Report 05/7, Biodiversity Conservation Branch, Department of Primary Industries, Water & Environment, Hobart;
- Rudman, T., Tucker, D. & French, D. (2004). *Washdown Procedures for Weed and Disease Control*. Edition 1. Department of Primary Industries, Water & Environment, Hobart; and
- DPIPWE (2015). *Weed and Disease Planning and Hygiene Guidelines – Preventing the Spread of Weeds and Diseases in Tasmania*. Department of Primary Industries, Parks, Water & Environment, Hobart.

Rootrot pathogen, *Phytophthora cinnamomi*

Phytophthora cinnamomi (PC) is widespread in lowland areas of Tasmania, across all land tenures. However, disease will not develop when soils are too cold or too dry. For these reasons, PC is not a threat to susceptible plant species that grow at altitudes higher than about 700 m or where annual rainfall is less than about 600 mm (e.g. Midlands and Derwent Valley). Furthermore, disease is unlikely to develop beneath a dense canopy of vegetation because shading cools the soils to below the optimum temperature for the pathogen. A continuous canopy of vegetation taller than about 2 m is sufficient to suppress disease. Hence PC is not considered a threat to susceptible plant species growing in wet sclerophyll forests, rainforests (except disturbed rainforests on infertile soils) and scrub e.g. teatree scrub (Rudman 2005; FPA 2009).

The native vegetation types identified from the study area (SAL & DVC) are not recognised as being particularly susceptible to PC. Site assessment did not record any field symptoms (dead and/or dying susceptible plant species). No special management should be required in relation to PC.

Myrtle wilt

Myrtle wilt, caused by a wind-borne fungus (*Chalara australis*), occurs naturally in rainforest where myrtle beech (*Nothofagus cunninghamii*) is present. The fungus enters wounds in the tree, usually caused by damage from wood-boring insects, wind damage and forest clearing. The incidence of myrtle wilt often increases forest clearing events such as windthrow and wildfire.

The study area does not support *Nothofagus cunninghamii*. No special management is required.

Myrtle rust

Myrtle rust is a disease limited to plants in the Myrtaceae family. This plant disease is a member of the guava rust complex caused by *Austropuccinia psidii*, a known significant pathogen of Myrtaceae plants outside Australia. Infestations are currently limited to NSW, Victoria, Queensland and Tasmania (DPIPWE 2015).

No evidence of myrtle rust was noted. The longer-term management issue for the site is to ensure that any ornamental plantings source plants from a reputable nursery free from the pathogen (such businesses are already subject to strict biosecurity conditions).

Chytrid fungus and other freshwater pathogens

Native freshwater species and habitat are under threat from freshwater pests and pathogens including *Batrachochytrium dendrobatidis* (chytrid frog disease), *Mucor amphibiorum* (platypus mucor disease) and the freshwater algal pest *Didymosphenia geminata* (didymo) (Allan & Gartenstein 2010). Freshwater pests and pathogens are spread to new areas when contaminated water, mud, gravel, soil and plant material or infected animals are moved between sites. Contaminated materials and animals are commonly transported on boots, equipment, vehicles tyres and during road construction and maintenance activities. Once a pest pathogen is present in a water system it is usually impossible to eradicate. The manual *Keeping it Clean - A Tasmanian Field Hygiene Manual to Prevent the Spread of Freshwater Pests and Pathogens* (Allan & Gartenstein 2010) provides information on how to prevent the spread of freshwater pests and pathogens in Tasmanian waterways wetlands, swamps and boggy areas.

The subject title includes one small pond nestled amongst the dunes but it otherwise devoid of ephemeral or permanent water features, such that no special management is required.

Additional "Matters of National Environmental Significance" – Threatened Ecological Communities

CofA (2022) indicates that the following threatened ecological communities listed on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) may, or are likely to, occur within the area:

- Giant Kelp Marine Forests of South East Australia [Endangered];
- Subtropical and Temperate Coastal Saltmarsh [Vulnerable];
- Tasmanian Forests and Woodlands dominated by Black Gum or Brookers Gum *(Eucalyptus ovata* / E. *brookeriana*) [Critically Endangered]; and
- Tasmanian White Gum (*Eucalyptus viminalis*) Wet Forest [Critically Endangered].

Existing vegetation mapping (Figure 11) and revised vegetation mapping (Figure 12) indicates that these communities are not present within the subject title. There is a patch of succulent saline

herbland (TASVEG code: ASS) mapped in the informal Crown land reserve to the southeast of the title (Figure 11). This vegetation classification was confirmed by site assessment, noting this area of halophytic vegetation is in excellent condition, supports at least one species of threatened flora (*Ruppia tuberosa*) and forms an integral part of the interface between the marine/estuarine environment and the undulating vegetated dunes to the west. While virtually all native vegetation along the southeastern boundary of the title has been historically and contemporarily cleared right to the boundary, there remains a buffer of dense coast wattle and low eucalypt forest between the title and the patch of ASS in the reserve. That is, there should be no implications under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* in relation to threatened ecological communities.

Additional "Matters of National Environmental Significance" – Wetlands of International Importance

CofA (2022) indicates that study area is within, or within 10 km of, two Ramsar sites, namely:

- Apsley Marshes; and
- Moulting Lagoon.

The site is wholly outside the catchment of Apsley Marshes (which are at the upper reaches of Moulting Lagoon) but may be marginally the catchment of Moulting Lagoon (Figure 7). That said, there is no evidence that any part of the title has any "flow" of water towards the lagoon, with at least some of the southeastern boundary of the title a relatively well-defined rise that probably ensures most "flow" is towards the west. That said, the northeastern portion of this boundary is flatter and falls towards the patch of ASS (Figure 11) – see notes in section above also. I do not have specific expertise in how surface and ground water interact in these types of vegetated dune systems. While there are probably no implications under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* in relation to wetlands of international importance, refer to **DISCUSSION *Legislative and policy implications*** for more details.

Adjacent reserve

The title is immediately adjacent to an informal reserve (Public Reserve) under the *Crown Lands Act 1998* (Figure 7). In theory, there are required setbacks for development within the title (as shown on Figure 4), which are presumably established to minimise impacts to the reserve, which is zoned as Environmental Management pursuant to the *Tasmanian Planning Scheme – Glamorgan Spring Bay* (Figure 5). In this case, there has already been considerable clearing of dune scrub within the reserve (Figure 3b). Further development within what is proposed to become three residential lots has the potential to further impact on the natural values of the reserve. These impacts include installation of boundary fences, informal access, weed establishment and fire escape. I am not qualified to comment on the "flow" of surface and ground waters between the title and the reserve and the nature of risk this may present.

It is recommended that:

- any fencing of the private titles minimise the impact to the native vegetation within the reserve, and that any such fencing be undertaken in consultation with the land manager; and
- any development within the title include a soil and water management plan developed by a suitably qualified person that aims to minimise impacts to the adjacent reserve.

DISCUSSION

Summary of key findings

Threatened flora

- No plant species listed as threatened on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) and/or the Tasmanian *Threatened Species Protection Act 1995* (TSPA) were detected, or are known from database information, from the study area.

Threatened fauna

- No fauna species listed as threatened on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) and/or the Tasmanian *Threatened Species Protection Act 1995* (TSPA) were detected, or are known from database information (discounting the imprecise record of *Calidris tenuirostris*, great knot, which is labelled "Dolphin Sands-Point Bagot"), from the study area.
- The study area does meet the intent of "significant habitat for a threatened fauna species", at any reasonable scale or interpretation of the concept, pursuant to the Natural Assets Code of the *Tasmanian Planning Scheme – Glamorgan-Spring Bay*.

Vegetation types

- The study area supports the following TASVEG mapping units:
  - *Acacia longifolia* coastal scrub (TASVEG code: SAL);
  - *Eucalyptus viminalis – Eucalyptus globulus* coastal forest and woodland (TASVEG code: DVC);
  - marram grassland (TASVEG code: FMG); and
  - urban areas (TASVEG code: FUR).
- None of the identified vegetation types equate to native vegetation communities listed as threatened ecological communities listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.
- Occurrences of DVC equate to a native vegetation community (with the same name) listed as threatened on Schedule 3A of the Tasmanian *Nature Conservation Act 2002*.
- Occurrences of DVC usually meet the intent of "priority vegetation" pursuant to the Natural Assets Code of the *Tasmanian Planning Scheme – Glamorgan-Spring Bay*.

Weeds

- No plant species classified as declared weeds within the meaning of the Tasmanian *Weed Management Act 1999* (*Biosecurity Act 2019*) were detected from the study area

Plant disease

- No evidence of *Phytophthora cinnamomi* (PC, rootrot) was observed in susceptible species within the study area.
- No evidence of myrtle wilt was recorded from within the study area.
- No evidence of myrtle rust was recorded from within the study area.

Animal disease (chytrid)

- The study area does not support particular habitats conducive to frog chytrid disease, except at a highly localised scale (small dam).

Ramsar wetlands

- The title is within the catchment of the Moulting Lagoon Ramsar wetland.

Adjacent reserve

- The title is immediately adjacent to an informal reserve (Public Reserve) under the *Crown Lands Act 1998*.

Legislative and policy implications

Some commentary is provided below with respect to the key threatened species, vegetation management and other relevant legislation. Note that there may be other relevant policy instruments in addition to those discussed. The following information does not constitute legal advice and it is recommended that independent advice is sought from the relevant agency/authority.

Tasmanian *Threatened Species Protection Act 1995*

Threatened flora and fauna on this Act are managed under Section 51, as follows:

> 51. Offences relating to listed taxa
>
> (1) Subject to subsections (2) and (3), a person must not knowingly, without a permit –
>
> (a) take, keep, trade in or process any specimen of a listed taxon of flora or fauna; or
>
> (b) disturb any specimen of a listed taxon of flora or fauna found on land subject to an interim protection order; or
>
> (c) disturb any specimen of a listed taxon of flora or fauna contrary to a land management agreement; or
>
> (d) disturb any specimen of a listed taxon of flora or fauna that is subject to a conservation covenant entered into under Part 5 of the *Nature Conservation Act 2002*; or
>
> (e) abandon or release any specimen of a listed taxon of flora or fauna into the wild.
>
> (2) A person may take, keep or process, without a permit, a specimen of a listed taxon of flora in a domestic garden.
>
> (3) A person acting in accordance with a certified forest practices plan or a public authority management agreement may take, without a permit, a specimen of a listed taxon of flora or fauna, unless the Secretary, by notice in writing, requires the person to obtain a permit.
>
> (4) A person undertaking dam works in accordance with a Division 3 permit issued under the *Water Management Act 1999* may take, without a permit, a specimen of a listed taxon of flora or fauna.

The simplest interpretation of this is that any activity that results in a specimen (i.e. individual) of listed flora or fauna being "knowingly taken" would require a permit to be issued through Conservation Assessments, Department of Natural Resources and Environment Tasmania, through a formal application process.

In the absence of an identifiable known location of a specimen of a threatened fauna or flora species from the area proposed for development, the Act has no application. The Act does not make reference to the clearance or disturbance of "potential habitat".

Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*

Under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* an action will require approval from the minister if the action has, will have, or is likely to have, a significant impact on a matter of national environmental significance.

Matters of national environmental significance considered under the EPBCA include:

- listed threatened species and communities
- listed migratory species;
- Ramsar wetlands of international importance;
- Commonwealth marine environment;
- world heritage properties;
- national heritage places;
- the Great Barrier Reef Marine Park;
- nuclear actions; and
- a water resource, in relation to coal seam gas development and large coal mining development.

The relevant Commonwealth agency provides a policy statement titled *Matters of National Environmental Significance: Significant Impact Guidelines 1.1* (CofA 2013, herein the *Guidelines*), which provides overarching guidance on determining whether an action is likely to have a significant impact on a matter protected under the EPBCA.

The *Guidelines* define a **significant impact** as:

> *"…an impact which is important, notable, or of consequence, having regard to its context or intensity. Whether or not an action is likely to have a significant impact depends upon the sensitivity, value, and quality of the environment which is impacted, and upon the intensity, duration, magnitude and geographic extent of the impacts"*

and note that:

> *"…all of these factors [need to be considered] when determining whether an action is likely to have a significant impact on matters of national environmental significance".*

The *Guidelines* provide advice on when a significant impact may be likely:

> *"To be 'likely', it is not necessary for a significant impact to have a greater than 50% chance of happening; it is sufficient if a significant impact on the environment is a real or not remote chance or possibility.*
>
> *If there is scientific uncertainty about the impacts of your action and potential impacts are serious or irreversible, the precautionary principle is applicable. Accordingly, a lack of scientific certainty about the potential impacts of an action will not itself justify a decision that the action is not likely to have a significant impact on the environment".*

The *Guidelines* provide a set of Significant Impact Criteria (CofA 2013), which are "intended to assist…in determining whether the impacts of [the] proposed action on any matter of national environmental significance are likely to be significant impacts". It is noted that the criteria are "intended to provide general guidance on the types of actions that will require approval and the types of actions that will not require approval…[and]…not intended to be exhaustive or definitive".

When considering whether or not an action is likely to have a significant impact on a matter of national environmental significance it is relevant to consider all adverse impacts which result from the action, including indirect and offsite impacts. Indirect and offsite impacts include:

a. 'downstream' or 'downwind' impacts, such as impacts on wetlands or ocean reefs from sediment, fertilisers or chemicals which are washed or discharged into river systems;

b. 'upstream impacts' such as impacts associated with the extraction of raw materials and other inputs which are used to undertake the action; and

c. 'facilitated impacts' which result from further actions (including actions by third parties) which are made possible or facilitated by the action.

For example, the construction of a dam for irrigation water facilitates the use of that water by irrigators with associated impacts. Likewise, the construction of basic infrastructure in a previously undeveloped area may, in certain circumstances, facilitate the urban or commercial development of that area.

Consideration should be given to all adverse impacts that could reasonably be predicted to follow from the action, whether these impacts are within the control of the person proposing to take the action or not. Indirect impacts will be relevant where they are sufficiently close to the proposed action to be said to be a consequence of the action, and they can reasonably be imputed to be within the contemplation of the person proposing to take the action.

Listed ecological communities

Existing vegetation mapping (Figure 11) and revised vegetation mapping (Figure 12) indicates that these communities are not present within the subject title. There is a patch of succulent saline herbland (TASVEG code: ASS) mapped in the informal Crown land reserve to the southeast of the title (Figure 11). This vegetation classification was confirmed by site assessment, noting this area of halophytic vegetation is in excellent condition, supports at least one species of threatened flora (*Ruppia tuberosa*) and forms an integral part of the interface between the marine/estuarine environment and the undulating vegetated dunes to the west. While virtually all native vegetation along the southeastern boundary of the title has been historically and contemporarily cleared right to the boundary, there remains a buffer of dense coast wattle and low eucalypt forest between the title and the patch of ASS in the reserve. That is, there should be no implications under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* in relation to threatened ecological communities.

Threatened flora

The subject title does not support any such species, nor potential habitat of such species (except in a very general sense).

Threatened fauna

The study area may support populations of threatened fauna listed on the Act, most notably the Tasmanian devil, spotted-tailed quoll, eastern quoll and eastern barred bandicoot, although no specific evidence such as scats, diggings or dens were noted. Note that the study area is within the range of several other species listed on the Act but it is unlikely that the proposal will result in a significant impact on these species (this includes wide-ranging species such as the wedge-tailed eagle and masked owl).

The relevant Commonwealth agency provides a *Significant Impact Guidelines* policy statement (CofA 2013) to determine if referral to the department is required. The *Guidelines* consider a "significant impact" to comprise loss that is likely to lead to a long-term decrease in the size of an important population of a species (unlikely to be the case); reduce the area of occupancy of an important population (also unlikely at any reasonable scale); fragment an existing important population into two or more populations (minor habitat loss will occur but not such that

fragmentation will result); adversely affect habitat critical to the survival of a species ("critical habitat" has not been defined per se); disrupt the breeding cycle of an important population (unlikely); modify, destroy, remove or isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline (this seems unlikely – see previous commentary); result in invasive species that are harmful to a threatened species becoming established in the threatened species' habitat (unlikely); introduce disease that may cause the species to decline (unlikely to introduce and/or exacerbate Devil Facial Tumour Disease); or interfere substantially with the recovery of the species (unlikely at any reasonable scale).

On this initial review of the *Guidelines*, it seems unlikely that the proposal as indicated will result in the need for a referral.

Ramsar wetland

CofA (2022) indicates that the study area may be marginally within the catchment of Moulting Lagoon (Figure 7). The subject title does not include any wetland features itself. There is no evidence that any part of the title has any "flow" of water towards the lagoon, with at least some of the southeastern boundary of the title a relatively well-defined rise that probably ensures most "flow" is towards the west. That said, the northeastern portion of this boundary is flatter and falls towards the patch of ASS (Figure 11). I do not have specific expertise in how surface and ground water interact in these types of vegetated dune systems.

In specific respect to wetlands of internal importance (Ramsar), the *Guidelines* state:

> Approval is required for an action occurring within or outside a declared Ramsar wetland if the action has, will have, or is likely to have a significant impact on the ecological character of the Ramsar wetland.
>
> An action is likely to have a significant impact on the ecological character of a declared Ramsar wetland if there is a real chance or possibility that it will result in:
>
> • areas of the wetland being destroyed or substantially modified
>
> [this does not seem a likely scenario for any development within the study area]
>
> • a substantial and measurable change in the hydrological regime of the wetland, for example, a substantial change to the volume, timing, duration and frequency of ground and surface water flows to and within the wetland
>
> [this does not seem a likely scenario for any development within the study area, but this may need to be confirmed by a suitably qualified person with expertise in surface and ground water flows in dune systems]
>
> • the habitat or lifecycle of native species, including invertebrate fauna and fish species, dependant upon the wetland being seriously affected
>
> [this does not seem a likely scenario for any development within the study area – see notes above]
>
> • a substantial and measurable change in the water quality of the wetland – for example, a substantial change in the level of salinity, pollutants, or nutrients in the wetland, or water temperature which may adversely impact on biodiversity, ecological integrity, social amenity or human health, or
>
> [this does not seem a likely scenario for any development within the study area – see notes above]
>
> • an invasive species that is harmful to the ecological character of the wetland being established (or an existing invasive species being spread) in the wetland.
>
> [this does not seem a likely scenario for any development within the study area]

On this initial review of the *Guidelines*, it seems unlikely that the proposal as indicated will result in the need for a referral, provided that any development can appropriately demonstrate that works will not directly or indirectly materially impact on the character of the adjacent wetland, noting that the title is adjacent to the far southern section of the listed wetland, at its immediate outfall into Great Oyster Bay.

Tasmanian *Forest Practices Act 1985* and associated *Forest Practices Regulations 2017*

The *Regulations* provide the following relevant circumstances in which a Forest Practices Plan is not required.

> 4. Circumstances in which forest practices plan, &c., not required
>
> For the purpose of section 17(6) of the Act, the following circumstances are prescribed:
>
> (a) the harvesting of timber or the clearing of trees, with the consent of the owner of the land, if the land is not vulnerable land and –
>
> (i) the volume of timber harvested or trees cleared is less than 100 tonnes for each area of applicable land per year; or
>
> (ii) the total area of land on which the harvesting or clearing occurs is less than one hectare for each area of applicable land per year –
>
> whichever is the lesser;
>
> (j) the harvesting of timber or the clearing of trees on any land, or the clearance and conversion of a threatened native vegetation community on any land, for the purpose of enabling –
>
> (i) the construction of a building within the meaning of the *Land Use Planning and Approvals Act 1993* or of a group of such buildings; or
>
> (ii) the carrying out of any associated development –
>
> if the construction of the buildings or carrying out of the associated development is authorised by a permit issued under that Act.

On this basis, the proposed development should not require a Forest Practices Plan.

Tasmanian *Nature Conservation Act 2002*

Schedule 3A of the Act lists vegetation types classified as threatened within Tasmania. There is one patch of *Eucalyptus viminalis – Eucalyptus globulus* coastal forest and woodland (TASVEG code: DVC), which is so listed. The administrative/regulatory mechanism managing threatened communities is through either the Tasmanian *Forest Practices Act 1985* (and associated *Forest Practices Regulations 2017*) or the local planning scheme (*Tasmanian Planning Scheme – Glamorgan Spring Bay*), depending on the zone and code provisions.

Tasmanian *Weed Management Act 1999* (*Biosecurity Act 2019*)

No plant species classified as declared weeds within the meaning of the Act were detected from the study area, such that the Act has limited direct application.

Tasmanian *Land Use Planning and Approvals Act 1993*

The applicable planning scheme for the study area is the *Tasmanian Planning Scheme – Glamorgan-Spring Bay*. Note that the following is my interpretation of the provisions of the *Scheme* and may not necessarily represent the views of Glamorgan Spring Bay Council. The following does not constitute legal advice. It is recommended that formal advice be sought from the relevant agency prior to acting on any aspect of this statement.

The subject title is zoned as zoned as Particular Purpose – Dolphin Sands pursuant to the *Tasmanian Planning Scheme – Glamorgan-Spring Bay* (Figure 5), and wholly subject to the Priority Vegetation Area overlay (Figure 6a), as well as other overlays.

Below I address the various relevant provisions of the *Scheme* that relate to the management of values considered in the preceding report, with the emphasis on addressing the intent and specifics of the Natural Assets Code, with deliberate reference to the Priority Vegetation Area overlay only. I am not suitably qualified to address the Future Coastal Refugia elements of the Natural Assets Code, noting that the overlay only marginally impinges into the title. I am also not qualified to address the Bushfire-prone Areas overlay or the Coastal Inundation Hazard – Low overlay.

Given that most of the title is subject to the Waterway and Coastal Protection Areas overlay but that most of the site is highly modfied, I have also refrained from making particular commentary on these provisions. That said, I do not believe that subdiviosn into three lots and subsequent development within the lots, taking account of setbacks and the like, will materially compromise the intent of the provisions related to the overlay. However, I reiterate that I am not qualified to comment on matters such as surface and ground water flows in dune sands and suggest that this needs to be addressed sepeartely, given the immediastely adjacent reserve.

The purpose of the Natural Assets Code is stated below:

C7.1 The purpose of the Natural Assets Code is:

- C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.
- C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.
- C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.
- C7.1.4 To minimise impacts on identified priority vegetation.
- C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.

The above purpose statements are essentially addressed through the relevant development standards. Setting aside C7.1.1, C7.1.2 & C7.1.3 (see comments above), as a general statement, I do not believe that the small-scale subdivision will compromise the intent of C7.1.4, provided the patch of threatened vegetation is avoide.. I do not believe that C7.1.5 is relevant at any reasonable scale (see later consideration of the concept of "significant habitat").

The application of the Natural Assets Code is stated below:

C7.2 Application of this Code:

C7.2.1 This code applies to development on land within the following areas:

(c) a priority vegetation area only if within the following zone:

(xi) Particular Purpose Zone

C7.2.2 This code does not apply to use.

The proposed development area is zoned as Particular Purpose and is subject to the Priority Vegetation Area overlay under the *Scheme* such that C7.2.1(c)(i) may have application.

At this point, however, it is worth discussing the classification of the site with respect to the intention of the *Scheme*'s definition of "priority vegetation", which is:

C7.3 Definition of Terms

C7.3.1 In this code, unless the contrary intention appears:

means native vegetation where any of the following apply:

(a) it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the *Nature Conservation Act 2002*;

(b) is a threatened flora species;

(c) it forms a significant habitat for a threatened fauna species; or

(d) it has been identified as native vegetation of local importance.

Under the Code, a "priority vegetation area" is defined to mean:

land shown on an overlay map in the relevant Local Provisions Schedule, as within a priority vegetation area.

Site assessment indicates that the subject title is mainly classified FUR, FMG & SAL, which are not equivalent to native vegetation communities classified as threatened under Schedule 3A of the Tasmanian *Nature Conservation Act 2002*, such that C7.3.1(a) is not applicable to these areas. The northeast corner of the title has been mapped as *Eucalyptus viminalis – Eucalyptus globulus* coastal forest and woodland (TASVEG code: DVC), which is equivalent to a native vegetation community (with the same name) classified as threatened under Schedule 3A of the Tasmanian *Nature Conservation Act 2002* i.e. this part of the title qualifies as "priority vegetation". While the patch is small in itself within the title, it is nonetheless "integral" to a larger patch that extends beyond the title.

The site does not support threatened flora, such that C7.3.1(b) is not applicable.

The site does not support significant habitat for threatened fauna such that C7.3.1(c) is not applicable. "Significant habitat" is defined to mean:

the habitat within the known or core range of a threatened fauna species, where any of the following applies:

(a) is known to be of high priority for the maintenance of breeding populations throughout the species' range; or

(b) the conversion of it to non-priority vegetation is considered to result in a long-term negative impact on breeding populations of the threatened fauna species.

Problematically, the *Scheme* does not define the terms "known" or "core" range, which means this could rely on those used by other agencies such as the Forest Practices Authority and/or the Department of Natural Resources and Environment Tasmania, which are effectively presented in the relevant database reports (DNRET 2022a; FPA 2022). While the subject site is within the so-called "known or core range" of some listed fauna species, in no manner can any part of the site be assigned as being of "high priority for the maintenance of breeding populations throughout the species' range" at any reasonable scale (see Appendix D for a more detailed analysis of this) or be in any way construed as meeting the intent of a scenario in which "the conversion of it [i.e. "significant habitat"] to non-priority vegetation [could be] considered to result in a long-term

negative impact on breeding populations of the threatened fauna species" (see also Appendix D for a more detailed analysis of this).

I am not aware that any part of the site has been "identified as native vegetation of local importance", noting that this cannot simply refer to a site subject to the overlay as that would be circular argument based on false logic (given that the basis for the overlay through the Regional Ecosystem Model acknowledges the need to ground-truth all modelling).

On the basis of the above review, the only a very small part of the title supports "priority vegetation" but is still subject to the Priority Vegetation Area overlay. While acknowledging the apparent disconnect between C7.2.1(c), which refers to the "priority vegetation area", and C7.3.1, which defines "priority vegetation", the balance of the Natural Assets Code provisions is reviewed below to ensure that the application can be considered with respect to an alternative interpretation. I have made the assumption that the patch of DVC can be avoided as part of any future development (see **DISCUSSION *Recommendations*** and notes throughout this section).

The relevant development standards of the Natural Assets Code are C7.7.2 (Subdivision within a priority vegetation area), and have the following objective:

> C7.7 Development Standards for subdivision
>
> C7.7.2 Subdivision within a priority vegetation area
>
> Objective:
>
> That:
>
> (a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and
>
> (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation.

The above objective statements are essentially addressed through the relevant acceptable solutions or performance criteria. However, as a general statement, I do not believe that the small-scale subdivision will compromise the intent of the objective statements. That said, it is difficult to address the objective statement in literal terms because while C7.7.2 refers to "subdivision within a priority vegetation area" (which will occur), the sub-clauses then rely on the presence of "priority vegetation", which is only present in a very small part of the title (see previous discussion), which renders C7.7.2(a) & C7.7.2(b) somewhat moot. It is recommended that the patch of DVC be excluded from development, noting that Figure 4 shows the required setbacks as wholly outside the mapped patch. It is suggested that the proposed access be designed to avoid the patch of DVC (this is probably already the case but this will need to be confirmed).

The acceptable solution for C7.7.2 is stated as:

> A1
>
> Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:
>
> (a) be for the purposes of creating separate lots for existing buildings;
>
> (b) be required for public use by the Crown, a council, or a State authority;
>
> (c) be required for the provision of Utilities;
>
> (d) be for the consolidation of a lot; or
>
> (e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.

To my interpretation, A1 cannot be satisfied. There are two performance criteria that must be satisfied, which are addressed in turn below.

The performance criteria P1.1 are stated as:

> P1.1
>
> Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:
>
> (a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmanian Fire Service or an accredited person;
>
> (b) subdivision for the construction of a single dwelling or an associated outbuilding;
>
> (c) subdivision in the General Residential Zone or Low Density Residential Zone
>
> (d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;
>
> (e) subdivision involving clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or
>
> (f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.

The fact that P1.1 (a) through (f) are linked by "or" means that only one of these provisions needs to be satisfied.

It appears that P1.1(b) is satisfied because the proposal is for lots designed for the "construction of a single dwelling or an associated outbuilding".

In my opinion, P1.1(f) is also of relevance to the present proposal. However, this relies, unfortunately, on the presence of "priority vegetation", which it has already been demonstrated is unlikely to be present within any area proposed for development. In addition, P1.1(f) uses the term "clearance of native vegetation", opening up two new interpretative dilemmas. First, the term "clearing" is not defined in the *Scheme* (see further discussion below). Second, it now refers to "native vegetation", apparently independent of the concept of "priority vegetation": the *Scheme* defines the latter but not the former.

With further reference to the concept of "clearance of native vegetation", that the site supports "native vegetation" is not questioned because the *Scheme* defines this to mean:

> plants that are indigenous to Tasmania including trees, shrubs, herbs and grasses that have not been planted for domestic or commercial purposes

"Native vegetation" is clearly present. For the record, this definition, however, is very much all-encompassing and means that sites that are not domestic gardens, commercial wood plantations, crops or very clearly intensively-managed pasture grass are all "native vegetation". Technically, this would include most road verges with scattered trees, shrubs and native grasses, but it could also be extended to "rough pasture" i.e. sites clearly used for primary production such as cropping, grazing, hay-making, etc. but that periodically revert to disused land and some native plant species occurring once again (most notably some native grasses, herbs like buzzies, a scattered teatree or wattle seedling, perhaps a patch of bracken). This definition of "native vegetation" was transferred from the interim planning schemes, where its interpretation has been "tested" in TASCAT (RMPAT) proceedings. In my opinion, significant care needs to be taken in the future utility of this term. In this case, while the areas now mapped as FUR and FMG do support some native plant species, I do not regard these areas as "native vegetation" in an ecological sense.

It is also quite clear that subdivision will eventually result in the "clearance of native vegetation", simply by reference to a "dictionary definition" of "clearing" (such as the removal of native vegetation). However, by use of the term "clearance" and the failure to provide a definition of such, reference needs to be made to the provision of a definition of the concept of "clearance and conversion" in the *Scheme* (Table 3.1 of Administration), which is taken to mean:

> as defined in the *Forest Practices Act 1985*

Under that Act, "clearance and conversion" has reference only to "threatened native vegetation communities" (i.e. those listed on Schedule 3A of the Tasmanian *Nature Conservation Act 2002*), which means that the definition of "clearance and conversion" provided in the *Scheme* cannot have application to the subject site. This means the interpretation of P1.1(f) must fall to a broader meaning of "clearance". The challenge is that by implication of the use of the phrase "…that is of limited scale relative to the extent of priority vegetation on the site", the intent of reference to "native vegetation" is to "priority vegetation", otherwise the concept of "…relative to…" becomes logically inconsistent. In whatsoever way P1.1(f) is interpreted, the absence of "priority vegetation" (previously demonstrated) means that it is satisfied by default. Even if this were not the case, eventual occupation of three new lots with accesses and hazard management areas (BAL-19) will lead to the "clearance" of limited areas of the SAL vegetation in each title but at a broader level of a minuscule proportion of SAL at a sub-regional (e.g. Dolphin Sands spit), regional (South East bioregion) or municipal level. No areas of DVC are likely to be subject to "clearance" because it is located in the far northeastern part of the current title only. That is, in any reasonable sense, P1.1(f) is found to be satisfied.

Noting that both sub-clauses (b) and (f) are satisfied, P1.1 of C7.7.2 is found to be satisfied.

The performance criteria P1.2 are stated as:

> P1.2
>
> Works association [sic – associated] with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:
>
> (a) the design and location of any works, future development likely to be facilitated by subdivision, and any constraints such as topography or land hazards;
>
> (b) any particular requirements for the works and future development likely to be facilitated by the subdivision;
>
> (c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;
>
> (d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;
>
> (e) any on-site biodiversity offsets; and
>
> (f) any existing cleared areas on the site.

To address this provision, it must be assumed that the proposed development site supports "priority vegetation", which has not been identified as present (see previous discussion – assumes the small area of DVC can be appropriately avoided). On this basis, the over-arching part of P1.2 is considered to be satisfied by default (actually somewhat irrelevant because of the phrasing).

Further to this opening phrase of P1.2, reference is made to the concept of "minimise adverse impacts". First, the use of the term "minimise" contemplates that some level (albeit undefined) of impact is contemplated as being acceptable. Second, the use of the phrase "adverse impact" implies that works must have an "adverse" impact – this being an undefined concept in the *Scheme*, it becomes challenging to suggest that an activity such as establishment of a hazard management area in coast wattle scrub will genuinely result in an "adverse impact" (noting of course that this must be on "priority vegetation", which is not present). Certainly, however, implementation of a hazard management area of BAL-19 at ca. 30 m radius and some clearing for access equivalent to ca. 3,000 m^2 per lot cannot be reasonably regarded as not satisfying the concept of "minimising (adverse) impact on (priority) vegetation", noting the existing highly modified nature of the whole site.

With respect to the phrase "…having regard to…", this is considered in the manner referred to in *S and S McElwaine and A Hamilton v West Tamar Council and Growth Developments Pty Ltd [2021]*

TASCAT 4 (17 November 2021), where TASCAT stated: "the requirement to 'have regard to' does not elevate P2.1(a) to (f) to mandatory requirements that the proposal must satisfy. The tribunal need only consider those subparagraphs in ascertaining whether the proposal complies with clause E8.6.1 P2.1".

Below the sub-criteria of P1.2 are addressed in turn.

(a) the design and location of any works, future development likely to be facilitated by subdivision, and any constraints such as topography or land hazards;

The "future development" will presumably be boundary fencing, access from Dolphin Sands Road to satisfy engineering and bushfire hazard management requirements, a single residential dwelling and any associated elements, and establishment of a BAL-19 hazard management area.

In "having regard to" these matters, the main concern is with respect to the small area of DVC, which would be located in proposed Lot 1. The current access (Figure 4) is shown as close to the boundary between DVC and SAL – with minor re-design, this could be shifted to wholly avoid the DVC. It is recommended that any fencing established in this corner of the title avoid the need to materially "clear" or "disturb" the patch of DVC (e.g. establish simple post-and-wire fence on the boundary to define the title but construct a proper fence (if needed) internal to the boundary.

I also note that with reference to "future development", that presumably C7.6.2 becomes relevant. However, it is noted that the provisions of P1.1 & P1.2 of C7.6.2 have virtually the same phrasing and application as P1.1 & P1.2 of C7.7.2 that further reference to C7.6.2 is not made.

(b) any particular requirements for the works and future development likely to be facilitated by the subdivision;

Uncertain application in relation to the identified natural values, except as indicated under sub-clause (a) above.

(c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;

I would usually accept a certified bushfire hazard management plan as meeting the intent of the provision. In this case, I accept that a BAL-19 rating is required for the lots and that this will result in minimal impact on native vegetation (see previous discussions).

(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;

Uncertain application in relation to the identified natural values, with the native vegetation likely to be impacted having been classified as non-threatened mapping units and no reasonable residual impacts on "priority vegetation" identified (see previous discussions).

(e) any on-site biodiversity offsets; and

No such offsets have been identified as necessary.

(f) any existing cleared areas on the site.

Not applicable because there are no such "existing cleared areas", except by loose reference to open sandy areas that have been mapped as part of the broader concept of SAL (recognising the geographic and temporal shifting of such open areas) and the area mapped as FMG (marram grassland) but these are mainly at tne edge of a required setback.

In conclusion, in my opinion, the proposed development should meet the intent of P1.1 & P1.2 of C7.7.2 (and any future development should meet the intent of P1.1 & P1.2 of C7.6.2) of the Natural Assets Code, without the need for specific permit conditions in relation to natural values, provided that design can demonstrate the exclusion of the patch of DVC vegetation in the northeast of proposed Lot 1.

Recommendations

The recommendations provided below are a summary of those provided in relation to each of the natural values described in the main report. The main text of the report provides the relevant context for the recommendations.

Vegetation types

In general terms, minimising the extent of "clearance and conversion" and/or "disturbance" to native vegetation is recommended.

Furthermore, it is recommended that the extent of DVC in the northeast of proposed Lot 1 be identified on any relevant site plans and be specifically excluded from works/development (this is mainly in relation to the access from Dolphin Sands Road but also possibly future fencing).

Threatened flora

None present, such that species management is not required.

Threatened fauna

Apart from the generic recommendation to minimise the extent of "clearance and conversion" and/or "disturbance" to native vegetation, specific management in relation to threatened fauna is not recommended.

Weed and disease management

Longer-term special management (e.g. a complex weed management plan) is not considered warranted because owner occupation is considered the most appropriate (and realistic) means of achieving control of any declared species (should they become established), where vigilance and immediate control are practical.

Adjacent reserve

The title is immediately adjacent to an informal reserve (Public Reserve) under the *Crown Lands Act 1998*.

It is recommended that:

- any fencing of the private titles minimise the impact to the native vegetation within the reserve, and that any such fencing be undertaken in consultation with the land manager; and
- any development within the title include a soil and water management plan developed by a suitably qualified person that aims to minimise impacts to the adjacent reserve.

Legislative and policy implications

There are no formal requirements for a permit under Section 51 of the Tasmanian *Threatened Species Protection Act 1995* (TSPA).

A formal referral to the relevant Commonwealth agency under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) is not considered required.

Subdivision and subsequent development will require a planning permit pursuant to the provisions of the *Tasmanian Planning Scheme – Glamorgan Spring Bay*. In my opinion, the proposed development should meet the intent of P1.1 & P1.2 of C7.7.2 (and any future development should meet the intent of P1.1 & P1.2 of C7.6.2) of the Natural Assets Code, without the need for specific permit conditions in relation to natural values, provided that design can demonstrate the exclusion of the patch of DVC vegetation in the northeast of proposed Lot 1.

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APPENDIX A. Vegetation community structure and composition

The tables below provide basic information on the structure and composition of the native vegetation mapping units identified from the study area.

***Acacia longifolia* coastal scrub (TASVEG code: SAL)**		
Much of the title is dominated by *Acacia longifolia* subsp. *sophorae* (coast wattle), with only very minor occurrences of other native shrubs. The distinction between SAL and DVC along the northeastern boundary was GPSed but is well-defined by the shift between a canopy of *Eucalyptus viminalis* (white gum) to the east and *Acacia longifolia* subsp. *sophorae* (coast wattle) to the west. Note that I have taken a broad approach to the concept of SAL, including some areas of open sand and marram grass, recognising the mosaic will shift geographically and temporally.  Mosaic of SAL with marram grassland and bare sandy patches		
Stratum	**Height (m)** **Cover (%)**	**Species** (underline = dominant, parentheses = sparse; + = present only)
Trees	20 m +	*Eucalyptus viminalis*
Tall shrubs	3-6 m 60-80%	*Acacia longifolia* subsp. *sophorae*
Medium to low shrubs	0.5-2.5 m 20-40%	*Acacia longifolia* subsp. *sophorae Monotoca elliptica, Banksia marginata, Leucopogon parviflora, Rhagodia candolleana*
Low shrubs	<0.5 m +	*Styphelia humifusa, Carpobrotus rossii*
Grasses	5-90%	*Ammophila arenaria, (Austrostipa flavescens), (Poa labillardierei), (Vulpia fasciculata), Holcus lanatus*
Graminoids	<5%	*Ficinia nodosa, Lepidosperma gladiatum, Schoenus nitens, Juncus pauciflorus, Lomandra longifolia*
Herbs	variable	*Oxalis rubens, Cynoglossum australe, Hypochaeris radicata, Galium australe, Wahlenbergia littoricola, Acaena novae-zelandiae, Dichondra repens, Crassula sieberiana*

***Eucalyptus viminalis – Eucalyptus globulus* coastal forest and woodland (TASVEG code: DVC)**
The northeast corner of the title supports a very small area of DVC, where there is a relatively dense (but quite low) canopy of *Eucalyptus viminalis* (white gum) with a dense shrubby understorey developed on loose white sands, which extends into the adjacent informal reserve and immediate verge of the end of Dolphin Sands Road. Despite its small area, the patch of DVC is in good condition with no weeds or symptoms of disease noted.

Small patch of *Eucalyptus viminalis*-dominated low forest in northeast of title

Stratum	**Height (m)** **Cover (%)**	**Species** (underline = dominant, parentheses = sparse; + = present only)
Trees	5-10 m 20-30%	*Eucalyptus viminalis*
Tall shrubs	4-6 m 20%	*Acacia longifolia, Banksia marginata*
Medium shrubs	<2 m 10%	*Rhagodia candolleana*
Grasses	5%	*Poa labillardierei*
Herbs	+	*Oxalis rubens, Dichondra repens*

APPENDIX B. Vascular plant species recorded from study area

Botanical nomenclature follows *A Census of the Vascular Plants of Tasmania* (de Salas & Baker 2022), with family placement updated to reflect the nomenclatural changes recognised in the *Flora of Tasmania Online* (de Salas 2022+) and APG (2016); common nomenclature follows *The Little Book of Common Names of Tasmanian Plants* (Wapstra et al. 2005+, updated online at www.nre.tas.gov.au).

i = naturalised species

Table B1. Summary of vascular species recorded from the subject title

	ORDER			
STATUS	**DICOTYLEDONAE**	**MONOCOTYLEDONAE**	**GYMNOSPERMAE**	**PTERIDOPHYTA**
	14	8	-	-
i	6	5	2	-
Sum	**20**	**13**	**2**	**0**
TOTAL	**35**			

DICOTYLEDONAE		
	AIZOACEAE	
	Carpobrotus rossii	native pigface
	AMARANTHACEAE	
	Rhagodia candolleana subsp. *candolleana*	coastal saltbush
	ASTERACEAE	
i	*Dimorphotheca fruticosa*	trailing daisy
i	*Hypochaeris radicata*	rough catsear
	BORAGINACEAE	
	Cynoglossum australe	coast houndstongue
	CAMPANULACEAE	
	Wahlenbergia littoricola subsp. *littoricola*	shoreside bluebell
	CARYOPHYLLACEAE	
i	*Cerastium semidecandrum*	little mouse-ear
	CONVOLVULACEAE	
	Dichondra repens	kidneyweed
	CRASSULACEAE	
	Crassula sieberiana	rock stonecrop
	ERICACEAE	
	Monotoca elliptica	tree broomheath
	Styphelia humifusa	native cranberry
	FABACEAE	
	Acacia longifolia subsp. *sophorae*	coast wattle
	GENTIANACEAE	
i	*Centaurium erythraea*	common centaury
	MYRTACEAE	
	Eucalyptus viminalis subsp. *viminalis*	white gum
	OXALIDACEAE	
	Oxalis rubens	coast woodsorrel
	PROTEACEAE	
	Banksia marginata	silver banksia
	RESEDACEAE	
i	*Reseda luteola*	weld
	ROSACEAE	
	Acaena novae-zelandiae	common buzzy
	RUBIACEAE	
	Galium australe	coast bedstraw
	SCROPHULARIACEAE	
i	*Verbascum thapsus*	great mullein

	GYMNOSPERMAE	
	CUPRESSACEAE	
i	*Hesperocyparis macrocarpa*	monterey cypress
	PINACEAE	
i	*Pinus radiata*	radiata pine
	MONOCOTYLEDONAE	
	ASPARAGACEAE	
	Lomandra longifolia	sagg
	ASPHODELACEAE	
i	*Phormium tenax*	new zealand flax
	CYPERACEAE	
	Ficinia nodosa	knobby clubsedge
	Lepidosperma gladiatum	coast swordsedge
	Schoenus nitens	shiny bogsedge
	JUNCACEAE	
	Juncus pauciflorus	looseflower rush
	POACEAE	
i	*Aira caryophyllea* subsp. *caryophyllea*	silvery hairgrass
i	*Ammophila arenaria* subsp. *arenaria*	marram grass
	Austrostipa flavescens	yellow speargrass
i	*Holcus lanatus*	yorkshire fog
	Poa labillardierei var. *labillardierei*	silver tussockgrass
i	*Vulpia fasciculata*	dune fescue
	POTAMOGETONACEAE	
	Potamogeton sp.	pondweed

APPENDIX C. Analysis of database records of threatened flora

Table C1 provides a listing of threatened flora from within 5,000 m of the study area (nominal buffer width usually used to discuss the potential of a particular study area to support various species listed in databases), with comments on whether potential habitat is present for the species, and possible reasons why a species was not recorded.

Table C1. Threatened flora records from within 5,000 m of boundary of the study area

Species listed below are listed as rare (r), vulnerable (v), endangered (e), or extinct (x) on the Tasmanian *Threatened Species Protection Act 1995* (TSPA); vulnerable (VU), endangered (EN), critically endangered (CR) or extinct (EX) on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA). Information below is sourced from DNRET's *Natural Values Atlas* (DNRET 2022a) and other sources where indicated. Habitat descriptions are taken from FPA (2016), FPA (2017) and TSS (2003+), except where otherwise indicated. Species marked with # are listed in CofA (2022).

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
Acacia axillaris midlands wattle	v VU # only	*Acacia axillaris* is mainly confined to riparian habitats such as dense riparian scrub and associated floodplains but also extends to paddocks and open grassy forests in frost hollows and areas of poor drainage, but also occasionally occurs on rocky slopes (there is a somewhat anomalous population on the midslopes of Mt Barrow in the northeast). All populations are strongly associated with dolerite. Records outside the core of the range (e.g. Prosser River, Broad River, River Clyde) need to be treated carefully as they may represent the more recently described *Acacia derwentiana*.	Potential habitat absent.
Acacia ulicifolia juniper wattle	r -	*Acacia ulicifolia* is found in sandy coastal heaths and open heathy forest and woodland in the north and east of Tasmania. Populations are often sparsely distributed and most sites are near-coastal but it can occasionally extend inland (up to 30 km).	Potential habitat very marginally present (albeit atypical of known sites). This shrub was not detected (no seasonal constraint on detection and/or identification).
Bertya tasmanica subsp. *tasmanica* tasmanian bertya	e EN #	*Bertya tasmanica* subsp. *tasmanica* mainly occurs on riparian sites in the northern Midlands (e.g. St Pauls River) and east coast (e.g. Apsley River). It is associated with *Eucalyptus ovata–Callitris oblonga* forest on some sites. Other dominants include *E. rodwayi* and *E. viminalis*. A large population at Swanwick is atypical, with plants occurring within near-coastal vegetation dominated by *Allocasuarina verticillata (*drooping sheoak).	Potential habitat very marginally present (albeit atypical of known sites). This shrub was not detected (no seasonal constraint on detection and/or identification).
Caladenia caudata tailed spider-orchid	v VU #	*Caladenia caudata* has highly variable habitat, which includes the central north: *Eucalyptus obliqua* heathy forest on low undulating hills; the northeast: *E. globulus* grassy/heathy coastal forest, *E. amygdalina* heathy woodland and forest, *Allocasuarina* woodland;	Potential habitat absent.

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
		and the southeast: *E. amygdalina* forest and woodland on sandstone, coastal *E. viminalis* forest on deep sands. Substrates vary from dolerite to sandstone to granite, with soils ranging from deep windblown sands, sands derived from sandstone and well-developed clay loams developed from dolerite. A high degree of insolation is typical of many sites.	
Caladenia filamentosa daddy longlegs	r -	*Caladenia filamentosa* occurs in lowland heathy and sedgy eucalypt forest and woodland on sandy soils.	Potential habitat absent (wholly atypical of all known sites).
Caustis pentandra thick twistsedge	r -	*Caustis pentandra* occurs on sandy soils derived from granite in coastal heathland and heathy woodland, mainly between Freycinet Peninsula and Binalong Bay (with some outlying historical sites).	Potential habitat absent (wholly atypical of all known sites).
Conospermum hookeri tasmanian smokebush	v VU #	*Conospermum hookeri* usually occurs in coastal and near-coastal heathland and heathy forest/woodland dominated by *Eucalyptus amygdalina* or *E. tenuiramis*. It extends from Bruny Island to the Furneaux islands, on granite or sandy, acid, low-nutrient soils. There are some inland occurrences in heathy *E. amygdalina* forest on granite substrates.	Potential habitat marginally present (albeit highly atypical of known sites). This shrub was not detected (no seasonal constraint on detection and/or identification).
Corunastylis morrisii bearded midge-orchid	e -	*Corunastylis morrisii* occurs in near-coastal lowland habitats in buttongrass moorland and sedgy open eucalypt woodland on moderately-drained sites, including raised clay pans in poorly drained peaty sedgeland. A site on mudstone at Kellevie occurs in *Eucalyptus amygdalina* forest with sparse shrubs on gently undulating terrain.	Potential habitat absent.
Corunastylis nuda tiny midge-orchid	r -	*Corunastylis nuda* occurs in a wide range of habitats from near sea level to 1,000 m a.s.l., on a range of different soil types and geologies. Vegetation types include scrub, subalpine grassland, open rock plates, heathy open forest, shrubby dry sclerophyll forest and wet sclerophyll forest.	Potential habitat absent.
Cotula vulgaris var. *australasica* slender buttons	r -	*Cotula vulgaris* var. *australasica* habitat includes saline herbfields, rocky coastal outcrops, and wet or brackish swamps.	Potential habitat absent.
Desmodium gunnii southern ticktrefoil	v -	*Desmodium gunnii* occurs in the north and sub-coastal areas of the northeast, with outlying sites at Woolnorth. It grows mostly in damp sclerophyll forest and woodland, usually on fertile sites.	Potential habitat absent.
Dianella amoena grassland flaxlily	r EN # only	*Dianella amoena* occurs mainly in the northern and southern Midlands, growing in native grasslands and grassy woodlands.	Potential habitat absent.

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
Epacris barbata bearded heath	e EN #	*Epacris barbata* is found only on Freycinet Peninsula and Schouten Island. It occurs exclusively on granite-based siliceous soils, growing in open heath and heathy woodland/forest in hilly and low-lying terrain.	Potential habitat absent.
Euphrasia collina subsp. *deflexifolia* eastern eyebright	r -	*Euphrasia collina* subsp. *deflexifolia* occurs in open woodland or heath (sometimes extending to forest), often associated with road edges, tracks and depressions near the headwaters of creeks. Its habitat is associated with the availability of open patches of ground maintained by fire or other disturbance, the proximity of low vegetation and relatively high soil moisture in spring.	Potential habitat absent (wholly atypical of all known sites).
Glycine latrobeana clover glycine	v VU # only	*Glycine latrobeana* occurs in a range of habitats, geologies and vegetation types. Soils are usually fertile but can be sandy when adjacent to or overlaying fertile soils. The species mainly occurs on flats and undulating terrain over a wide geographical range, including near-coastal environments, the Midlands, and the Central Plateau. It mainly occurs in grassy/heathy forests and woodlands and native grasslands.	Potential habitat absent.
Glycine microphylla small-leaf glycine	v -	*Glycine microphylla* occurs in dry to dampish sclerophyll forest and woodland in the north and east of the State, with outlying sites at Woolnorth.	Potential habitat marginally present. This perennial twiner was not detected (no seasonal constraint on detection and/or identification).
Gratiola pubescens hairy brooklime	v -	*Gratiola pubescens* is most commonly located in permanently or seasonally damp or swampy ground, including the margins of farm dams.	Potential habitat marginally present (small artificial waterhole). This perennial herb was not detected (no seasonal constraint on detection and/or identification).
Lachnagrostis billardierei var. *tenuiseta* small-awn blowngrass	r -	*Lachnagrostis robusta* occurs in saline situations such as the margins of coastal and inland saline lagoons	Potential habitat absent.
Lepidium hyssopifolium soft peppercress	e EN # only	The native habitat of *Lepidium hyssopifolium* is the growth suppression zone beneath large trees in grassy woodlands and grasslands (e.g. over-mature black wattles and isolated eucalypts in rough pasture). *Lepidium hyssopifolium* is now found primarily under large exotic trees on roadsides and home yards on farms. It occurs in the eastern part of Tasmania between sea-level to 500 metres a.s.l. in dry, warm and fertile areas on flat ground on weakly acid to alkaline soils derived from a range of rock types. It can also occur on frequently slashed grassy/weedy roadside verges where shade trees are absent.	Potential habitat absent.

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
Lepidosperma forsythii stout rapiersedge	r -	*Lepidosperma forsythii* occurs in wet heathland and sedgeland.	Potential habitat absent.
Lepidosperma tortuosum twisting rapiersedge	r -	*Lepidosperma tortuosum* occurs in heathland and heathy woodland, in lowland sites, mainly in eastern parts of the State. It often occurs in the sedgier (peatier) parts of dry heathland. It can occur on a range of substrates.	Potential habitat absent.
Lepilaena marina sea watermat	r -	*Lepilaena marina* is restricted to sandy/muddy tidal flats and is associated with *Zostera muelleri* (eel grass), which is also a marine species.	Potential habitat absent.
Leucochrysum albicans subsp. *tricolor* grassland paperdaisy	e EN # only	*Leucochrysum albicans* subsp. *tricolor* occurs in the west and on the Central Plateau and the Midlands, mostly on basalt soils in open grassland. This species would have originally occupied *Eucalyptus pauciflora* woodland and tussock grassland, though most of this habitat is now converted to improved pasture or cropland.	Potential habitat absent.
Melaleuca pustulata warty paperbark	r -	*Melaleuca pustulata* occurs in a range of habitats including dry open woodland (often on dolerite in forests dominated by *Eucalyptus pulchella*), grassland and scrub, riparian zones and stable dunes in sparse coastal shrubbery. It is restricted to the State's Central East coast.	Potential habitat present. This shrub was not detected (no seasonal constraint on detection and/or identification).
Orthoceras strictum horned orchid	r -	*Orthoceras strictum* occurs in a wide range of habitat types including buttongrass moorland, sedgy and scrubby heathland, sedgy eucalypt shrubland and open forest, usually on poorly- to moderately-drained peaty, sandy and clay soils that are at least seasonally moist. It can also occur on thin mossy soils at soaks on and below rock faces. The species has a wide elevation range from sea level to 1000 m a.s.l.	Potential habitat absent.
Pimelea curviflora var. *gracilis* slender curved riceflower	r -	*Pimelea curviflora* var. *gracilis* occurs in a range of vegetation types from wet and dry sclerophyll forest to hardwood plantations. Understories vary from open and grassy to densely shrubby. It can densely colonise disturbed sites such as firebreaks, log landings and tracks.	Potential habitat absent.
Pimelea flava subsp. *flava* yellow riceflower	r -	*Pimelea flava* subsp. *flava* occurs in wet and dry sclerophyll forest and woodland, and extends into hardwood and softwood plantations. It often occurs abundantly on disturbed sites such as in logged forest, firebreaks, powerline easements and road batters.	Potential habitat present. This shrub was not detected (no seasonal constraint on detection and/or identification).

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
Prasophyllum apoxychilum tapered leek-orchid	v EN # only	*Prasophyllum apoxychilum* is restricted to eastern and northeastern Tasmania where it occurs in coastal heathland or grassy and scrubby open eucalypt forest on sandy and clay loams, often among rocks. It occurs at a range of elevations and seems to be strongly associated with dolerite in the east and southeast of its range.	Potential habitat absent.
Pterostylis grandiflora superb greenhood	r -	*Pterostylis grandiflora* occurs mostly in heathy and shrubby open eucalypt forests and in grassy coastal *Allocasuarina* (sheoak) woodland on moderately to well-drained sandy and loamy soils. It prefers to grow amongst undergrowth on lightly shaded sites. A recent population has been detected in wet sclerophyll forests.	Potential habitat absent.
Pterostylis squamata ruddy greenhood	v -	*Pterostylis squamata* occurs in heathy and grassy open eucalypt forest, woodland and heathland on well-drained sandy and clay loams.	Potential habitat marginally effectively absent. While there are nearby records of this species from the greater Dolphin Sands area and at River and Rocks on the eastern side of Moulting Lagoon, these are from *Eucalyptus viminalis – Eucalyptus globulus* coastal forest and woodland and coastal scrub both with a highly distinctive suite of understorey species and localised site features, the combination of which is only locally present within the subject title (although the patch of DVC is considered too dense and shady). The survey was conducted outside the flowering period of the species (Wapstra 2018), such that only leaves would have been detectable (none recorded). A further timed-targeted survey is not considered warranted because of the statistically very low likelihood of occurrence because the species has a highly disjunct distribution, usually occurs in very low numbers, the extent of potential habitat is highly restricted within the title and any such habitat is outside any areas likely to be developed.
Pterostylis ziegeleri grassland greenhood	v VU #	*Pterostylis ziegeleri* occurs in the State's south, east and north, with an outlying occurrence in the northwest. In coastal areas, the species occurs on the slopes of low stabilised sand dunes and in grassy dune swales, while in the Midlands it grows in native grassland or grassy woodland on well-drained clay loams derived from basalt.	Potential habitat marginally present. While there are numerous records of this species from the greater Dolphin Sands area, most of these are from *Eucalyptus viminalis – Eucalyptus globulus* coastal forest and woodland, coastal scrub and road verges, all with a highly distinctive suite of understorey species and localised site features, the combination of which is only marginally present within a small part of the title (northeast corner mapped as SSC). The survey was conducted within the the flowering period of the species

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
			(Wapstra 2018), with flowering confirmed at the nearby site on the verge of Dolphin Sands Road. The species was not detected from the title. A further timed-targeted survey is not considered warranted because of the statistically negligible likelihood of occurrence.
Ruppia megacarpa largefruit seatassel	r -	*Ruppia megacarpa* occurs in estuaries and lagoons along the east and southeast coasts, and brackish lagoons in the Midlands; there is also an historic record from the Tamar estuary in the States' north.	Potential habitat absent (small artificial waterhole is fresh, not brackish).
Ruppia tuberosa tuberous seatassel	r -	*Ruppia tuberosa* has been recorded from the State's southeast at Ralphs Bay and Blackman Bay, where it grows in holes and channels in saltmarshes.	Potential habitat absent (small artificial waterhole is fresh, not brackish).
Schoenus brevifolius zigzag bogsedge	r -	*Schoenus brevifolius* grows in shallow water around the fringes of lagoons in the northeast.	Potential habitat absent (small artificial waterhole is atypical). This perennial herb was not detected (no seasonal constraint on detection and/or identification).
Scutellaria humilis dwarf scullcap	r -	*Scutellaria humilis* is found in moist, shady places in the northeast and southeast of the State. Recent sites have been associated with rocky slopes and rises.	Potential habitat probably absent. This perennial herb was not detected (spring survey ideally timed to detect the species).
Senecio psilocarpus swamp fireweed	e VU # only	*Senecio psilocarpus* is known from six widely scattered sites in the northern half of the State, including King and Flinders islands. It occurs in swampy habitats including broad valley floors associated with rivers, edges of farm dams amongst low-lying grazing/cropping ground, herb-rich native grassland in a broad swale between stable sand dunes, adjacent to wetlands in native grassland, herbaceous marshland and low-lying lagoon systems.	Potential habitat absent (small artificial waterhole is atypical). This perennial herb was not detected (no seasonal constraint on detection and/or identification).
Spyridium lawrencei small-leaf dustymiller	v EN # only	*Spyridium lawrencei* occurs on the Central East Coast and the Eastern Midlands, with its main populations centred on the Swan, Apsley and St Pauls rivers, with an outlying population in the Three Thumbs area, south of Orford. The species mainly occurs in the zone between riparian vegetation, woodland or forest, and occasionally pasture. It also occurs on rock plates on forested slopes. It can be maintained by regular disturbances such as fire or flooding.	Potential habitat absent.
Spyridium vexilliferum var. *vexilliferum* helicopter bush	r -	*Spyridium vexilliferum* occurs in a range of vegetation types, including sandy heaths, rock plates and dry sclerophyll forest and woodland (mainly dominated by *Eucalyptus amygdalina*). It is found on a range of substrates	Potential habitat absent.

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
		(e.g. mudstone, granite, laterite gravels) from near-coastal areas in the east, north and west of the State, to the Midlands and lower Derwent Valley. It is most abundant in open or disturbed areas, as it can proliferate from soil-stored seed after disturbance.	
Stenanthemum pimeleoides propeller plant	v VU #	*Stenanthemum pimeleoides* is restricted to Tasmania's central East Coast and the Northern Midlands, where it occurs in dry sclerophyll forest or woodland with an open heathy or shrubby understorey. The topography tends to be flat to gently sloping.	Potential habitat absent.
Teucrium corymbosum forest germander	r -	*Teucrium corymbosum* occurs in a wide range of habitats from rocky steep slopes in dry sclerophyll forest and *Allocasuarina* (sheoak) woodland, riparian flats and forest.	Potential habitat absent.
Thelymitra atronitida blackhood sun-orchid	e -	*Thelymitra atronitida* has been recorded from near-coastal heathland, sedgeland and open heathy/sedgy eucalypt woodland on relatively poorly-drained sandy loams. The altitude range of known sites is 10-120 m a.s.l.	Potential habitat absent.
Thelymitra holmesii bluestar sun-orchid	r -	*Thelymitra holmesii* occurs in moist areas of grassland, heathy open forest and heathland in water-retentive soils such as clay loam and peaty loam, in soaks, beside streams and around swamp margins, usually below about 200 m a.s.l.	Potential habitat absent.
Thelymitra jonesii skyblue sun-orchid	e EN # only	*Thelymitra jonesii* occurs in moist coastal heath on sandy to peaty soils and in *Eucalyptus obliqua* forest in deep loam soil over dolerite.	Potential habitat absent.
Thelymitra malvina mauvetuft sun-orchid	e -	*Thelymitra malvina* has been recorded from coastal heath and sedgeland on sandy loams or clay loams at low elevations.	Potential habitat absent.
Thryptomene micrantha ribbed heathmyrtle	v -	*Thryptomene micrantha* is restricted to near-coastal areas between Bicheno and the southern tip of the Freycinet Peninsula. It may form locally dense thickets on sands derived from Devonian granite, typically in coastal heathland or *Eucalyptus amygdalina* heathy woodland or forest on gently undulating lower slopes or flats.	Potential habitat very marginally present (atypical of known sites). This shrub was not detected (no seasonal constraint on detection and/or identification).
Tricostularia pauciflora needle bogsedge	r -	*Tricostularia pauciflora* is found in sandy heaths, dunes and heath on clay soils around coastal areas.	Potential habitat absent (wholly atypical of all known sites).
Trithuria submersa submerged watertuft	r -	*Trithuria submersa* occurs in the Northern Midlands, near-coastal areas in the east and northeast, King Island, Flinders Island and Cape Barren Island, with an isolated record from the Central Highlands. Habitat includes areas subject to flooding, such as the margins	Potential habitat absent (small artificial waterhole is atypical). This annual herb was not detected (spring survey ideal to detect species).

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on study area and database records**
		of wetlands, small watercourses, shallow temporary depressions and wet heathlands.	
Utricularia australis yellow bladderwort	r -	*Utricularia australis* has a widespread distribution, ranging from the Gordon River in the southwest to the northern part of Flinders Island in the far northeast (and also reportedly from the Derwent River in the State's south). It grows in stationary or slow-moving water, including natural lakes, farm dams and reservoirs, where it has been reported as forming 'locally dense swards'.	Potential habitat present (small artificial waterhole). This perennial herb was not detected (no seasonal constraint on detection and/or identification).
Viminaria juncea golden spray	e -	*Viminaria juncea* grows close to sea level in the Moulting Lagoon area on soils prone to periodic waterlogging and drying out in summer. The associated vegetation is generally a sedgy shrubland.	Potential habitat absent.
Wilsonia rotundifolia roundleaf wilsonia	r -	*Wilsonia rotundifolia* is found in coastal and inland saltmarshes in the eastern part of the State.	Potential habitat absent.
Xanthorrhoea arenaria sand grasstree	v VU # only	*Xanthorrhoea arenaria* is restricted to coastal areas from Bridport in the northeast to Coles Bay on the East Coast, where it occurs in coastal sandy heathland, extending into heathy woodland and forest.	Potential habitat absent.
Xerochrysum palustre swamp everlasting	v VU # only	*Xerochrysum palustre* has a scattered distribution with populations in the northeast, east coast, Central Highlands and Midlands, all below about 700 m elevation. It occurs in wetlands, grassy to sedgy wet heathlands and extends to associated heathy *Eucalyptus ovata* woodlands. Sites are usually inundated for part of the year.	Potential habitat absent (small artificial waterhole is atypical). This perennial herb was not detected (no seasonal constraint on detection and/or identification).
Zieria littoralis downy zieria	r -	*Zieria littoralis* mainly occurs on coastal rocks, extending to inland areas on low hills and ridges above the coastline. A small number of sites occur in forested habitats, where the species occurs on rock outcrops. All sites are on granite.	Potential habitat absent.
Zieria veronicea subsp. *veronicea* pink zieria	e -	*Zieria veronicea* subsp. *veronicea* has been recorded from near-coastal areas from Coles Bay to Mt William, growing on well-drained sandy soils in heath or heathy woodland dominated by *Eucalyptus amygdalina*.	Potential habitat absent.

APPENDIX D. Analysis of database records of threatened fauna

Table D1 provides a listing of threatened fauna from within 5,000 m of the study area (nominal buffer width usually used to discuss the potential of a particular study area to support various species listed in databases), with comments on whether potential habitat is present for the species, and possible reasons why a species was not recorded.

Table D1. Threatened fauna records from 5,000 m of boundary of the study area

Species listed below are listed as rare (r), vulnerable (v), endangered (e), or extinct (x) on the Tasmanian *Threatened Species Protection Act 1995* (TSPA); vulnerable (VU), endangered (EN), critically endangered (CR) or extinct (EX) on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA). Information below is sourced from the DNRET's *Natural Values Atlas* (DNRET 2022a), Bryant & Jackson (1999) and FPA (2022); marine, wholly pelagic and littoral species such as marine mammals, fish and offshore seabirds are excluded. Species marked with # are listed in CofA (2022).

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on project area and database records**
Accipiter novaehollandiae grey goshawk	e -	Potential habitat is native forest with mature elements below 600 m altitude, particularly along watercourses. Significant habitat for the grey goshawk may be summarised as areas of wet forest, rainforest and damp forest patches in dry forest, with a relatively closed mature canopy, low stem density, and open understorey in close proximity to foraging habitat and a freshwater body.	Potential habitat absent, except in a very general sense. The species may very occasionally utilise the greater title area as part of a home range and for foraging but small-scale development should not have a significant impact on this aspect of the life history of the species.
Antipodia chaostola tax. *leucophaea* chaostola skipper	e EN #	Potential habitat is dry forest and woodland supporting *Gahnia radula* (usually on sandstone and other sedimentary rock types) or *Gahnia microstachya* (usually on granite-based substrates).	Potential habitat absent, as both species of *Gahnia* are not present.
Apus pacificus fork-tailed swift	- - # only	Seasonal migrant (December through March) with habitat open skies over any habitat, more commonly associated with forested hills and mountains (McNab 2018).	Potential habitat widespread but this is a species that flies at high altitude, very fast and highly mobile, feeding on the wing and virtually never perches (McNab 2018). This species should not require further consideration.
Aquila audax subsp. *fleayi* wedge-tailed eagle	e EN #	Potential nesting habitat is tall eucalypt trees in large tracts (usually more than 10 ha) of eucalypt or mixed forest. Nest trees are usually amongst the largest in a locality. They are generally in sheltered positions on leeward slopes, between the lower and mid sections of a slope and with the top of the tree usually lower than the ground level of the top of the ridge, although in some parts of the State topographic shelter is not always a significant factor (e.g. parts of the northwest and Central Highlands).	Potential nesting habitat absent. No known nests within 1,000 m of subject title; all surrounding vegetation of similar low scrub form as within subject title. The species may utilise the greater title area as part of a home range and for foraging but small-scale development should not have a significant impact on this aspect of the life history of the species.
Botaurus poiciloptilus Australasian bittern	- EN # only	Potential habitat is comprised of wetlands with tall dense vegetation, where it forages in still, shallow water up to 0.3 m deep, often at the edges of	Potential habitat absent.

Scientific name Common name	Status TSPA EPBCA	Tasmanian habitat description (and distribution)	Comments on project area and database records
		pools or waterways, or from platforms or mats of vegetation over deep water. It favours permanent and seasonal freshwater habitats, particularly those dominated by sedges, rushes and reeds or cutting grass growing over a muddy or peaty substrate (TSSC 2011).	
Bubulcus coromandus [syn. *B. ibis*, *Ardea ibis*] cattle egret	- - # only	Seasonal migrant (April through October) with habitat agricultural lands, crops, dams, pastures, particularly those with cattle, mudflats and wetlands (McNab 2018).	Potential habitat absent, except in the most general of sense. This species should not require further consideration.
Calidris tenuirostris great knot	- CR	n/a	There is a database record that notionally lies in the northeast corner of the title. However, this record has no precision indicated but is labelled "Dolphin Sands-Point Bagot", dated 7 Nov. 2017. This is a migratory bird that is observe don shorelines, mudflats and similar habitats. That is, the title does not provide habitat and the record is considered imprecisely placed. This species should not require further consideration.
Ceyx azureus subsp. *diemenensis* [syn. *Alcedo azurea* subsp. *diemenensis*] Tasmanian azure kingfisher	e EN # only	Potential foraging habitat is primarily freshwater (occasionally estuarine) waterbodies such as large rivers and streams with well-developed overhanging vegetation suitable for perching and water deep enough for dive-feeding. Potential breeding habitat is usually steep banks of large rivers (a breeding site is a hole (burrow) drilled in the bank).	Potential habitat absent. No ephemeral or permanent flowing waterbodies present (small waterhole is not suitable).
Dasyurus maculatus subsp. *maculatus* spotted-tailed quoll	r VU #	Potential habitat is coastal scrub, riparian areas, rainforest, wet forest, damp forest, dry forest and blackwood swamp forest (mature and regrowth), particularly where structurally complex and steep rocky areas are present, and includes remnant patches in cleared agricultural land.	Potential habitat marginally present. No evidence (e.g. scats) of the species was observed. The site is unlikely to support dens of the species because of the understorey lacking substantial large coarse woody debris, rock piles, and wombat burrows. The species may utilise the greater title area as part of a home range and for foraging but development at the scale proposed and within the context of surrounding land uses should not have a significant impact on potential habitat of the species.
Dasyurus viverrinus eastern quoll	- EN #	Potential habitat is a variety of habitats including rainforest, heathland, alpine areas and scrub. However, it seems to prefer dry forest/native grassland mosaics which are bounded by agricultural land.	Potential habitat present. See under spotted-tailed quoll.
Galaxias fontanus Swan galaxias	e EN	Potential habitat is slow to moderately fast flowing streams containing permanent water (even when not flowing), which have good instream cover from overhanging banks and/or logs, and shade from overhanging	The site is outside the catchment of the Apsley River (except in the sense that the river has its outfall through Moulting Lagoon, but the species only occurs in the upper catchment). The site does not include any flowing watercourses.

Scientific name Common name	Status TSPA EPBCA	Tasmanian habitat description (and distribution)	Comments on project area and database records
		vegetation. A population can only be maintained where barriers have prevented establishment of trout and redfin perch. The nature of these barriers is variable and can include permanent natural structures such as waterfalls and chutes and also low flow-dependent features such as marshes, ephemeral water-losing and remnant channels, braided channel floodplain features.	
Gallinago hardwickii Lathams snipe	- - # only	Seasonal migrant that prefers brackish, fresh and saline habitats including lagoons, lakes, marshes, swamps, wet grasslands and paddocks and wetlands with tussockgrasses (McNab 2018).	Potential habitat absent, except in the most general of sense. This species should not require further consideration.
Haliaeetus leucogaster white-bellied sea-eagle	v -	Potential habitat comprises potential nesting habitat and potential foraging habitat. Potential foraging habitat is any large waterbody (including sea coasts, estuaries, wide rivers, lakes, impoundments and even large farm dams) supporting prey items (fish). Potential nesting habitat is tall eucalypt trees in large tracts (usually more than 10 ha) of eucalypt or mixed forest within 5 km of the coast (nearest coast including shores, bays, inlets and peninsulas), large rivers (class 1), lakes or complexes of large farm dams.	Potential nesting habitat absent. No known nests within 1,000 m of subject title; all surrounding vegetation of similar low scrub form as within subject title. The species may utilise the greater title area as part of a home range and for foraging (although this would be mainly over open water) but small-scale development should not have a significant impact on this aspect of the life history of the species.
Hirundapus caudacutus white-throated needletail	- VU #	Seasonal migrant (December through March) with habitat open skies over any habitat, more commonly associated with forested hills and mountains (McNab 2018).	***Potential habitat*** widespread but this is a species that flies at high altitude, very fast and highly mobile, feeding on the wing and virtually never perches (McNab 2018). This species should not require further consideration.
Lathamus discolor swift parrot	e CR #	Potential foraging habitat comprises *E. globulus* or *E. ovata* trees that are old enough to flower. Potential nesting habitat is considered to comprise eucalypt forests that contain hollow-bearing trees.	*Eucalyptus ovata* is absent so this aspect of potential foraging habitat is not present. *Eucalyptus globulus* is absent so this aspect of potential foraging habitat is not present. The site supports no hollow-bearing trees so potential breeding habitat is not present.
Litoria raniformis green and golden frog	v VU #	Potential habitat is permanent and temporary waterbodies, usually with vegetation in or around them, including features such as natural lagoons, permanently or seasonally inundated swamps and wetlands, farm dams, irrigation channels, artificial water-holding sites such as old quarries, slow-flowing stretches of streams and rivers and drainage features.	Potential habitat effectively absent. The small waterhole is unvegetated and exposed. No evidence of the species was heard or observed on the day of assessment (mid-spring, warm, still). The species appears to be absent from this part of the east coast.
Myiagra cyanoleuca satin flycatcher	- - # only	Seasonal migrant (November through march) with habitat scrub, wet and dry sclerophyll forests, woodlands and creeklines (McNab 2018).	Potential habitat marginally present. This is a spring-summer migrant that may occasionally utilise the greater study area for foraging and possibly

Scientific name Common name	Status TSPA EPBCA	Tasmanian habitat description (and distribution)	Comments on project area and database records
			nesting. It is unlikely that the proposal will have a significant impact on this species, provided a network of native vegetation is retained (e.g. streamside reserves).
Neophema chrysostoma blue-winged parrot	- - # only	Seasonal migrant (October through April) with habitat agricultural lands, crops, dams, paddocks, coastal scrub, open grassy woodlands, heathland and saltmarshes (McNab 2018).	See under satin flycatcher.
Pardalotus quadragintus forty-spotted pardalote	e EN	Potential habitat is any forest and woodland supporting *E. viminalis* where the canopy cover of *E. viminalis* is greater than or equal to 10% or where *E. viminalis* occurs as a localised canopy dominant or co-dominant in patches exceeding 0.25 ha.	Potential habitat technically present. The forty-spotted pardalote appears to be absent from the Dolphin Sands spit, despite the extensive areas of superficially ideal habitat – this may be due to competition with aggressive native birds (such as the noisy miner and striated pardalote) and introduced species (such as the kookaburra. This species should not require further consideration.
Perameles gunnii subsp. *gunnii* eastern barred bandicoot	- VU #	Potential habitat is open vegetation types including woodlands and open forests with a grassy understorey, native and exotic grasslands, particularly in landscapes with a mosaic of agricultural land and remnant bushland. Significant habitat is dense tussock grass-sagg-sedge swards, piles of coarse woody debris and denser patches of low shrubs (especially those that are densely branched close to the ground providing shelter) within the core range of the species.	Potential habitat present. The species may utilise the greater area as part of a home range and for foraging but small-scale development should not have a significant impact on this aspect of the life history of the species. Development may manifestly benefit the species by creating open areas suitable for foraging.
Prototroctes maraena Australian grayling	v VU #	Potential habitat is all streams and rivers in their lower to middle reaches. Areas above permanent barriers (e.g. Prosser River dam, weirs) that prevent fish migration, are not potential habitat.	Potential habitat absent. No ephemeral or permanent flowing waterbodies present (small waterhole is not suitable).
Pseudemoia pagenstecheri tussock skink	v -	Potential habitat comprises native grasslands dominated by tussock-forming grasses.	Potential habitat absent. Native grassland is absent.
Pseudemoia rawlinsoni glossy grass skink	r -	Potential habitat is wetlands and swampy sites (including grassy wetlands, teatree swamps and grassy sedgelands), and margins of such habitats.	Potential habitat absent (no swampy habitats present).
Pseudomys novaehollandiae New Holland mouse	e VU #	Potential habitat is heathlands (mainly dry heathlands but also where dry heathlands form a mosaic with other heathland, moorland and scrub complexes), heathy woodlands (i.e. eucalypt canopy cover 5-20%), *Allocasuarina*-dominated forests on sandy substrates (not dolerite or basalt), and vegetated sand dunes. Key indicator plant species include (but are not restricted to) *Aotus ericoides*, *Lepidosperma concavum*, *Hypolaena fastigiata* and *Xanthorrhoea* spp.	Potential habitat absent (not heathland or heathy woodland and none of the indicator species present).

Scientific name **Common name**	**Status** TSPA EPBCA	**Tasmanian habitat description (and distribution)**	**Comments on project area and database records**
Sarcophilus harrisii Tasmanian devil	e EN #	Potential habitat is all terrestrial native habitats, forestry plantations and pasture. Devils require shelter (e.g. dense vegetation, hollow logs, burrows or caves) and hunting habitat (open understorey mixed with patches of dense vegetation) within their home range (4-27 km^2). Potential denning habitat is areas of burrowable, well-drained soil, log piles or sheltered overhangs such as cliffs, rocky outcrops, knolls, caves and earth banks, free from risk of inundation and with at least one entrance through which a devil could pass.	Potential habitat present. See under spotted-tailed quoll.
Theclinesthes serpentata subsp. *lavara* chequered blue	r -	Potential habitat is saltmarshes, and beach and coastal habitats, supporting food plants including *Rhagodia candolleana* (coastal saltbush) and species of *Atriplex*.	Potential habitat absent. The site is not saltmarsh. *Rhagodia candolleana* is present but the site is atypical of known sites for the butterfly.
Tyto novaehollandiae subsp. *castanops* masked owl	e VU #	Potential habitat is all areas with trees with large hollows (≥15 cm entrance diameter). Remnants and paddock trees (in any dry or wet forest type) in agricultural areas may constitute potential habitat. Significant habitat is any areas within the core range of native dry forest with trees over 100 cm dbh with large hollows (≥15 cm entrance diameter).	Potential nesting habitat absent. Large trees with large hollows are absent from the title. The species may utilise the greater title area as part of a home range and for foraging but small-scale development should not have a significant impact on this aspect of the life history of the species.

APPENDIX E. DNRET's *Natural Values Atlas* report for the study area

Appended as pdf file.

APPENDIX F. Forest Practices Authority's *Biodiversity Values Atlas* report for the study area

Appended as pdf file.

APPENDIX G. CofA's *Protected Matters* report for the study area

Appended as pdf file.

ATTACHMENT

- .shp/.dwg file of revised vegetation

GES

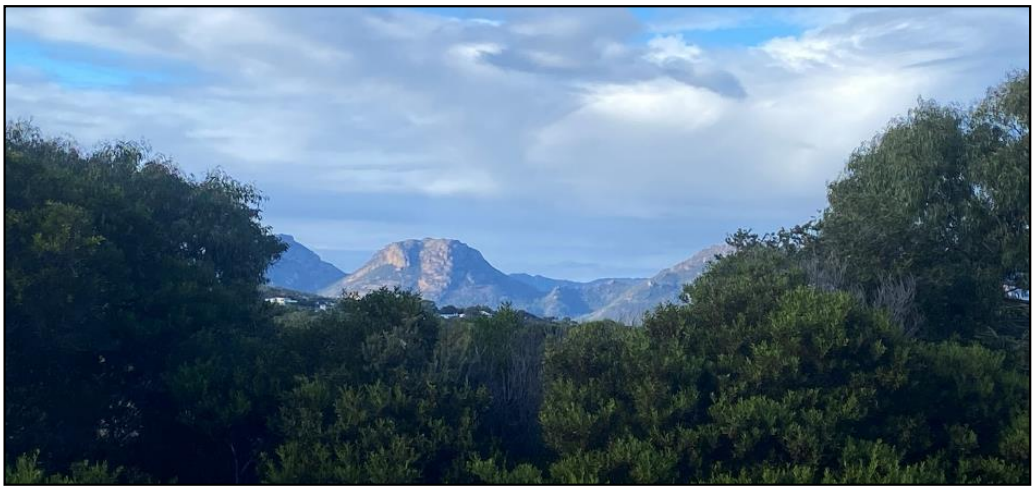
GEO-ENVIRONMENTAL

SOLUTIONS

Proposed Subdivision

1433 Dolphin Sands Rd, Dolphin Sands

Bushfire Hazard Report



Applicant: PDA Surveyors.

September 2022, J7740v1

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Contents

1.0 Introduction

This Bushfire Hazard Report has been completed to form part of supporting documentation for a planning permit application for a proposed subdivision. The proposed subdivision occurs in a Bushfire-prone Area defined by the Tasmanian Planning Scheme - Glamorgan-Spring Bay (the Scheme). This report has been prepared by Mark Van den Berg a qualified person under Part 4a of the *Fire Service Act 1979* of Geo Environmental Solutions Pty Ltd for PDA Surveyors.

The report considers all the relevant standards of Code C13 of the planning scheme, specifically;

- The requirements for appropriate Hazard Management Areas (HMA's) in relation to building areas;
- The requirements for Public and Private access;
- The provision of water supplies for firefighting purposes;
- Compliance with the planning scheme, and
- Provides a Bushfire Hazard Management Plan to facilitate appropriate compliant future development.

2.0 Proposal

It is proposed that a two lot plus balance subdivision is developed on the site described as per the proposed plan of subdivision in appendix A. Public access to new lots will be provided by existing public roadways. The development is proposed to occur as a single stage. The Balance lot contains existing residential development; all other lots are undeveloped.

3.0 Site Description

The subject site is located at 1433 Dolphin Sands Road, Dolphin Sands, CT: 54666/206 (figure 1). The site occurs in the municipality of Glamorgan-Spring Bay, this application is administered through the Tasmanian Planning Scheme Glamorgan-Spring Bay which makes provision for subdivision. The proposed development occurs within the Particular Purpose zone.

The site is located north-west of Point Bagot, approximately 1.0 km south of River and Rocks Campground (figure 1) and is dominated by Scrub vegetation. It is, for bushfire purposes effectively a flat site with no discernible aspect, surrounding lands comprise both developed and un-developed areas characterised by Scrub vegetation with sparse residential developments (figure 2).

Figure 1. The site in a topographical context, , pink line defines the title to be subdivided.

Figure 2. Aerial photo of the site, pink line defines the title to be subdivided.

4.0 Bushfire Hazard Assessment

4.1 Vegetation

The site and adjacent lands within 100 metres of the proposed building areas carry Scrub vegetation with small areas of grassland vegetation fragmented only by sparse residential development and associated low threat vegetation (figures 3 to 5). The highest risk vegetation occurs to the west of the sites.

4.2 slopes

The slopes in relation to the proposed new lots are gentle (<5 degrees) and are unlikely to have a significant impact on fire behaviour the effective slopes are assessed as flat. The land occurs on a dune complex characterised by low ridges (2 to 4 metres high from dune slacks) with short distances (10 to 20m) between ridge tops.

Figure 3. Scrub vegetation east of existing development on balance lot.

Figure 4. Scrub and grassland vegetation looking south within in proposed lot 2

Figure 5. Scrub and grassland vegetation within proposed balance lot looking south.

4.3 Bushfire Attack Level

An assessment of vegetation and topography was undertaken within and adjacent to the subdivision area. A bushfire attack level assessment as per *AS3959-2018* was competed which has determined setbacks for new building areas from bushfire-prone vegetation such that residential development does not exceed BAL-19 of AS3959-2018 (appendix B). The building area and bushfire attack level are identified on the BHMP.

4.3.1 Existing residential development

The Balance Lot has existing residential development, it is located close to the existing south-eastern title boundary. The proposed subdivision does not propose to alter this boundary. Therefore, the area available for hazard management of the existing residential development is not effected by the proposed subdivision.

5.0 Bushfire Prone Areas Code

Code C13 of the planning scheme articulates requirements for the provision of hazard management areas, standards for access and firefighting water supplies and requirements for hazard management for staged subdivisions.

5.1 Hazard Management Areas

Hazard management areas are required to be established for each lot, they provide an area around the building within which fuels are managed to reduce the impacts of direct flame contact, radiant heat and ember attack on the site.

The Bushfire Hazard Management Plan (BHMP) shows building areas (for habitable buildings) and the associated HMA's for each lot, guidance for establishment and maintenance of HMA's is provided below. HMAs are to be implemented for the specified distances from the future building within each lot.

The subdivision is to be developed in two stages. Each proposed lot can accommodate a hazard management area with sufficient separation from bushfire-prone vegetation not exceeding the requirements for BAL-19 of AS3959-2018. This means that each lot is not dependant on adjacent land use or management for bushfire mitigation.

5.1.1 Building areas

Building areas for habitable buildings on each lot are shown on the BHMP. Each lot has been assessed and a Bushfire Attack Level (BAL) assigned to it. If future buildings are located within the building area and comply with the minimum setbacks for the hazard management area, the buildings may be constructed to the bushfire attack level assigned to that lot. If associated structures like sheds or other non-habitable buildings are proposed, they do not need to conform to a BAL unless they are within 6 metres of the habitable building. Building areas for lots with existing residential development have been defined to include the footprint of the existing residential building.

5.1.3 Hazard Management Area requirements

A hazard management area is the area, between a habitable building or building area and the bushfire prone vegetation which provides access to a fire front for firefighting, is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire. This can be achieved through, but is not limited to the following strategies;

- Remove fallen limbs, sticks, leaf and bark litter;
- Maintain grass at less than a 100mm height;
- Avoid or minimise the use of flammable mulches (especially against buildings);
- Thin out under-story vegetation to provide horizontal separation between fuels;
- Prune low-hanging tree branches (<2m from the ground) to provide vertical separation between fuel layers;
- Remove or prune larger trees to establish and maintain horizontal separation between tree canopies;
- Minimise the storage of flammable materials such as firewood;
- Maintain vegetation clearance around vehicular access and water supply points;
- Use low-flammability plant species for landscaping purposes where possible;

- Clear out any accumulated leaf and other debris from roof gutters and other debris accumulation points.

It is not necessary to remove all vegetation from the hazard management area, trees and shrubs may provide protection from wind borne embers and radiant heat under some circumstances if other fuels are appropriately managed. The hazard management area for proposed new lot 1 will need to be established prior to the sealing of titles.

5.2 Public and firefighting Access

5.2.1 Public Roads

There is no proposal for the construction of new public roadways, in this circumstance there are no applicable standards for the construction of new public roads.

5.2.2 Property access (for building compliance)

Property access will be required to be established to access static water supply connection points. New property access will comply with the following standards:

The following design and construction standards apply to property access:

- All-weather construction;
- Load capacity of at least 20 tonnes, including for bridges and culverts;
- Minimum carriageway width of 4 metres;
- Minimum vertical clearance of 4 metres;
- Minimum horizontal clearance of 0.5 metres from the edge of the carriageway;
- Cross falls of less than 3° (1:20 or 5%);
- Dips less than 7° (1:8 or 12.5%) entry and exit angle;
- Curves with a minimum inner radius of 10 metres;
- Maximum gradient of 15° (1:3.5 or 28%) for sealed roads, and 10° (1:5.5 or 18%) for unsealed roads; and
- Terminate with a turning area for fire appliances provided by one of the following:
    i. A turning circle with a minimum inner radius of 10 metres;
    ii. A property access encircling the building; or
    iii. A hammerhead “T” or “Y” turning head 4 metres wide and 8 metres long.

5.3 Water supplies for firefighting

The subdivision is not serviced by a reticulated water supply. In this circumstance, a static water supply dedicated for firefighting for each building area which is compliant with the specifications of table 1 is required. Existing development within the Balance Lot will require the provision of a compliant water supply prior to the sealing of titles.

Table 1. Specifications for static water supplies for firefighting.

Element		Requirement
A	Distance between building area to be protected and water supply	The following requirements apply: (a) The building area to be protected must be located within 90 metres of the firefighting water point of a static water supply; and (b) The distance must be measured as a hose lay, between the firefighting water point and the furthest part of the building area.
B	Static Water Supplies	A static water supply: (a) May have a remotely located offtake connected to the static water supply; (b) May be a supply for combined use (firefighting and other uses) but the specified minimum quantity of firefighting water must be available at all times; (c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including firefighting sprinkler or spray systems; (d) Must be metal, concrete or lagged by non-combustible materials if above ground; and (e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959-2018, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by: (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6 mm thickness.
C	Fittings, pipework and accessories (including stands and tank supports)	Fittings and pipework associated with a fire fighting water point for a static water supply must: (a) Have a minimum nominal internal diameter of 50mm; (b) Be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) Be metal or lagged by non-combustible materials if above ground; (d) Where buried, have a minimum depth of 300mm (compliant with AS/NZS 3500.1-2003 Clause 5.23); (e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to firefighting equipment; (f) Ensure the coupling is accessible and available for connection at all times; (g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length); (h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and (i) Where a remote offtake is installed, ensure the offtake is in a position that is: (i) Visible; (ii) Accessible to allow connection by firefighting equipment, (iii) At a working height of 450 – 600mm above ground level; and (iv) Protected from possible damage, including damage by vehicles.
D	Signage for static water connections	Signage for static water connections The firefighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must: (a) comply with the water tank signage requirements within *Australian Standard AS2304-2011 Water storage tanks for fire protection systems*; or (b) comply with the Tasmania Fire Service Water Supply Guideline published by the Tasmania Fire Service
E	A hardstand area for fire appliances must be provided:	(a) no more than three metres from the firefighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (b) no closer than six metres from the building area to be protected; (c) a minimum width of three metres constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access.

6.0 Compliance

6.1 Planning Compliance

Table 3 summarises the compliance requirements for subdivisions in bushfire prone areas against Code C13 as they apply to this proposal. A planning certificate has been issued for the associated BHMP as being compliant with the relevant standards as outlined below and is located in appendix D.

Table 1. Compliance with Code C13 of the Scheme.

Clause	Compliance
C13.4 Use or development exempt from this code	Not applicable.
C13.5 1 Vulnerable Uses	Not applicable.
C13.5.2 Hazardous Uses	Not applicable
C13.6.1 Subdivision: Provision of hazard management areas	The Bushfire Hazard Management Plan is certified by an accredited person. Each lot within the subdivision has a building area and associated hazard management area shown which is suitable for BAL-19 construction standards (as marked). Hazard management areas can be contained within each individual lot, therefore there is no requirement for part 5 agreements or easements to facilitate hazard management. The proposal is compliant with the acceptable solution at A1, (b).
C13.6.2 Subdivision: Public and firefighting access	The Bushfire Hazard Management Plan specifies minimum standards for property access consistent with the requirements of table C13.2. There is no proposal for new public Roadways or fire trails as part of this development. The Bushfire Hazard Management Plan is certified by an accredited person. The proposal is compliant with the acceptable solution at A1, (b).
C13.6.3 Subdivision: Provision of water supply for firefighting purposes	The Bushfire Hazard Management Plan requires static water supplies to be provided for all lots. The specifications for static water supplies are provided consistent with table C13.5. The proposal is compliant with the acceptable solution at A2, (b).

6.2 Building Compliance (for future development)

Future residential development may not require assessment for bushfire management requirements at the planning application stage. Subsequent building applications will require demonstrated compliance with the Directors Determination. If future development is undertaken in compliance with the Bushfire Hazard Management Plan associated with this report, a building surveyor may rely upon it for building compliance purposes if it is not more than 6 years old. If new building work is proposed for the existing residence, a new report will be required.

7.0 Summary

The proposed development occurs within a bushfire-prone area. The vegetation is classified as Scrub with the highest risk presented by vegetation to the west of the building areas.

A bushfire hazard management plan has been developed and shows hazard management areas with building areas and construction standards, the location of proposed property access and specifications for their construction and, requirements for the provision of firefighting water supplies.

If future development for an individual lot is proposed and is compliant with all the specifications of the bushfire hazard management plan, it may be relied upon for building compliance purposes. If subsequent development does not comply with all the specifications a new assessment will be required.

8.0 Limitations Statement

This Bushfire Hazard Report has been prepared in accordance with the scope of services between Geo-Environmental Solutions Pty. Ltd. (GES) and the applicant. To the best of GES's knowledge, the information presented herein represents the Client's requirements at the time of printing of the report. However, the passage of time, manifestation of latent conditions or impacts of future events may result in findings differing from that described in this report. In preparing this report, GES has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations referenced herein. Except as otherwise stated in this report, GES has not verified the accuracy or completeness of such data, surveys, analyses, designs, plans and other information.

The scope of this study does not allow for the review of every possible bushfire hazard condition and does not provide a guarantee that no loss of property or life will occur as a result of bushfire. As stated in AS3959-2018 “It should be borne in mind that the measures contained in this Standard cannot guarantee that a building will survive a bushfire event on every occasion. This is substantially due to the degree of vegetation management, the unpredictable nature and behaviour of fire, and extreme weather conditions”. In addition, no responsibility is taken for any loss which is a result of actions contrary to AS3959-2018 or the Tasmanian Planning Commission Bushfire code.

This report does not purport to provide legal advice. Readers of the report should engage professional legal practitioners for this purpose as required. No responsibility is accepted for use of any part of this report in any other context or for any other purpose by third party

8.0 References

Building Amendment (Bushfire-Prone Areas) Regulations 2014

Determination, Director of Building Control – Requirements for Building in Bushfire-Prone Areas, version 2.2 6h February 2020. Consumer, Building and Occupational Services, Department of Justice, Tasmania.

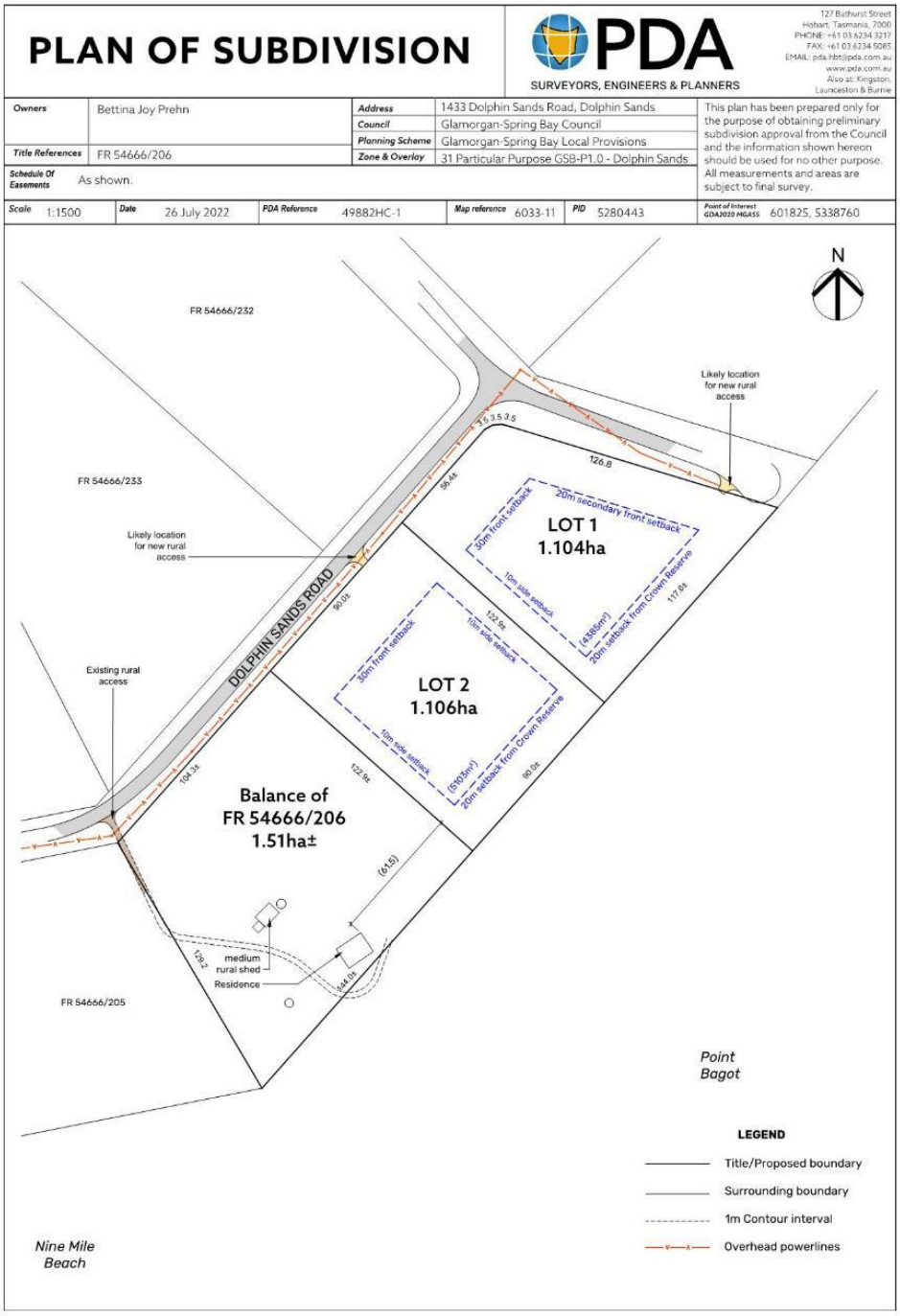
Standards Australia 2018, *Construction of buildings in bushfire prone areas,* Standards Australia, Sydney.

Tasmanian Planning Commission 2017, *Planning Directive No.5.1 – Bushfire prone Areas Code*. Tasmanian Planning Commission, Hobart. 1st September 2017.

The Bushfire Planning Group 2005, *Guidelines for development in bushfire prone areas of Tasmania – Living with fire in Tasmania,* Tasmania Fire Service, Hobart.

Tasmanian Planning Scheme - Glamorgan-Spring Bay.

Appendix A - Site Plan



Appendix B – Bushfire Attack Level assessment tables

Table 1. Bushfire Attack Level Assessment Balance Lot and Lots 1 & 2

Azimuth	Vegetation Classification	Effective Slope	Distance to Bushfire-prone vegetation	Hazard management area width	Bushfire Attack Level
North	Scrub^	flat 0º	0 to >100 metres	19 metres	**BAL-19**
	--	--	--		
	--	--	--		
	--	--	--		
East	Scrub^	flat 0º	0 to >100 metres	19 metres	**BAL-19**
	--	--	--		
	--	--	--		
	--	--	--		
South	Scrub^	flat 0º	0 to >100 metres	19 metres	**BAL-19**
	--	--	--		
	--	--	--		
	--	--	--		
West	Scrub^	flat 0º	0 to >100 metres	19 metres	**BAL-19**
	--	--	--		
	--	--	--		
	--	--	--		

^ Vegetation classification as per AS3959-2018 and Figures 2.6(A) to 2.6 (H).
* Low threat vegetation as per Bushfire Prone Areas Advisory Note (BHAN) No.1-2014, version 3, 8/11/2017.
^^ Exclusions as per AS3959-2018, section 2.2.3.2, (a) to (f).

Appendix C

Bushfire Hazard Management Plan

Bushfire Hazard Report - 1433 Dolphin Sands Rd, Dolphin Sands, September 2022, J7740v1.

BUSHFIRE HAZARD MANAGEMENT PLAN

Bushfire Hazard Management Plan, 1433 Dolphin Sands Road, Dolphin Sands. September 2022 J7740v1.0 Tasmanian Planning Scheme Glamorgan-Spring Bay

GES
GEO-ENVIRONMENTAL SOLUTIONS
29 Kirksway Place, Battery Point.
T| 62231839 E| office@geosolutions.net.au

Compliance Requirements

Property Access

Property access length is 30 metres or greater; and access is required for a fire appliance to connect to a firefighting water point.
The following design and construction requirements apply to property access:
(a) All-weather construction;
(b) Load capacity of at least 20 tonnes, including for bridges and culverts;
(c) Minimum carriageway width of 4 metres;
(d) Minimum vertical clearance of 4 metres;
(e) Minimum horizontal clearance of 0.5 metres from the edge of the carriageway;
(f) Cross falls of less than 3° (1:20 or 5%);
(g) Dips less than 7° (1:8 or 12.5%) entry and exit angle;
(h) Curves with a minimum inner radius of 10 metres;
(i) Maximum gradient of 15° (1:3.5 or 28%) for sealed roads, and 10° (1:5.5 or 18%) for unsealed roads; and
(j) Terminate with a turning area for fire appliances provided by one of the following:
(i) A turning circle with a minimum outer radius of 10 metres;
(ii) A property access encircling the building; or
(iii) A hammerhead "T" or "Y" turning head 4 metres wide and 8 metres long
(k) Passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.

Water Supplies for Firefighting

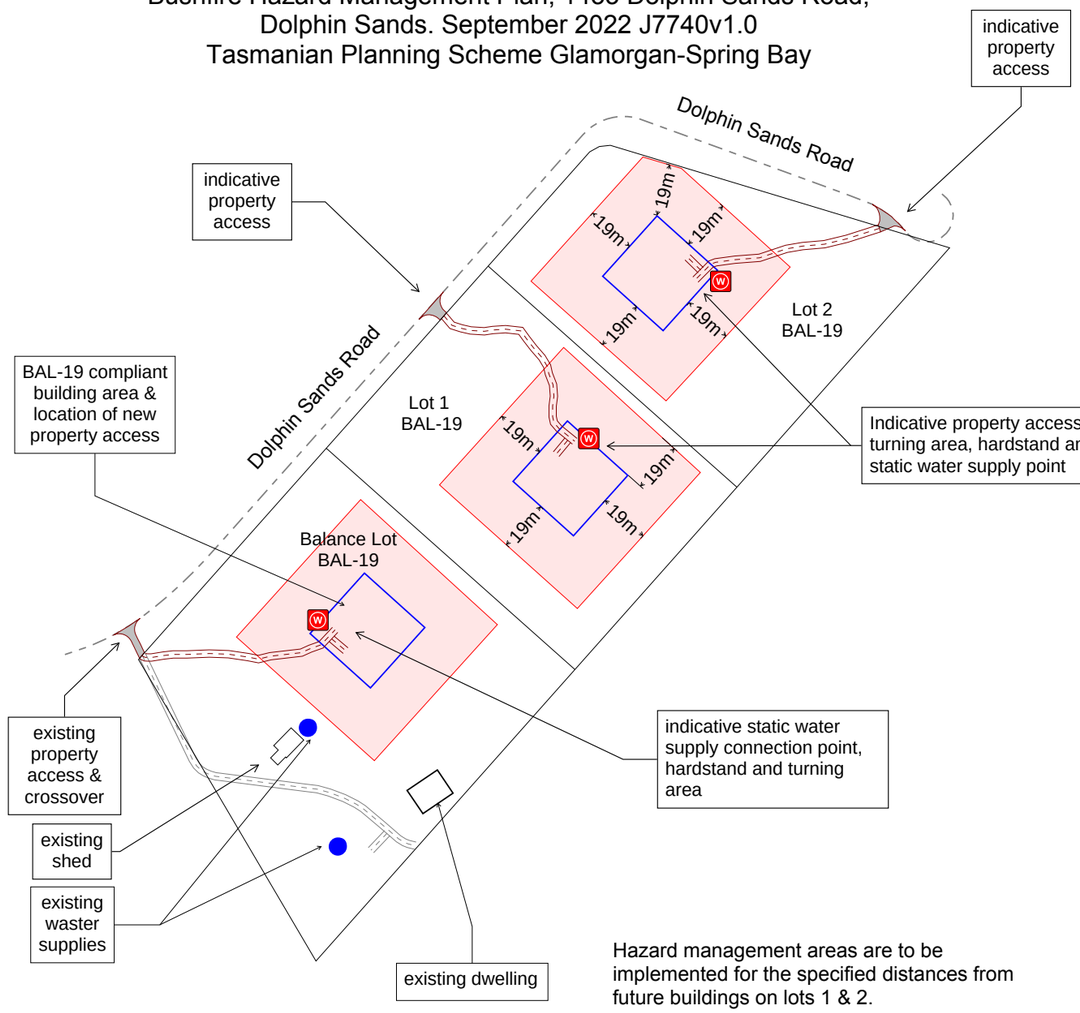
The site is not serviced by a reticulated water supply, therefore a dedicated, static firefighting water supply will be provided in accordance with the following;

A) Distance between building area to be protected and water supply
The following requirements apply:
(a) The building area to be protected must be located within 90 metres of the fire fighting water point of a static water supply; and
(b) The distance must be measured as a hose lay, between the fire fighting water point and the furthest part of the building area.

B) Static Water Supplies
A static water supply:
(a) May have a remotely located offtake connected to the static water supply;
(b) May be a supply for combined use (fire fighting and other uses) but the specified minimum quantity of fire fighting water must be available at all times;
(c) Must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including fire fighting sprinkler or spray systems;
(d) Must be metal, concrete or lagged by non-combustible materials if above ground; and
(e) If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959-2009, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by:
(i) metal;
(ii) non-combustible material; or
(iii) fibre-cement a minimum of 6 mm thickness.

C) Fittings and pipework associated with a fire fighting water point for a static water supply must:
(a) Have a minimum nominal internal diameter of 50mm; (2) Be fitted with a valve with a minimum nominal internal diameter of 50mm;
(b) Be fitted with a valve with a minimum nominal internal diameter of 50mm;
(c) Be metal or lagged by non-combustible materials if above ground;
(d) Where buried, have a minimum depth of 300mm (compliant with AS/NZS 3500.1-2003 Clause 5.23);
(e) Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to fire fighting equipment;
(f) Ensure the coupling is accessible and available for connection at all times;
(g) Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length);
(h) Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and
(i) Where a remote offtake is installed, ensure the offtake is in a position that is:
(i) Visible;
(ii) Accessible to allow connection by fire fighting equipment,
(iii) At a working height of 450 – 600mm above ground level; and
(iv) Protected from possible damage, including damage by vehicles.

D) Signage for static water connections
The fire fighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service



Hazard management areas are to be implemented for the specified distances from future buildings on lots 1 & 2.

E) Hardstand
A hardstand area for fire appliances must be provided:
(a) No more than three metres from the fire fighting water point, measured as a hose lay (including the minimum
water level in dams, swimming pools and the like); (b) No closer than six metres from the building area to be protected;
(c) With a minimum width of three metres constructed to the same standard as the carriageway; and
(d) Connected to the property access by a carriageway equivalent to the standard of the property access.

Hazard Management Areas

A hazard management area are required to be established and maintained for the life of the building and is shown on this BHMP. Guidance for the establishment and maintenance of the hazard management area is also provided.

Building Area

Indicative Static Water Supply Point

Indicative Hazard Management Area

Hazard Management Area

A hazard management area is the area, between a habitable building or building area and the bushfire prone vegetation, which provides access to a fire front for firefighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire. This can be achieved through, but is not limited to the following actions;

- Remove fallen limbs, sticks, leaf and bark litter;
- Maintain grass at less than a 100mm height;
- Remove pine bark and other flammable mulch (especially from against buildings);
- Thin out under-story vegetation to provide horizontal separation between fuels;
- Prune low-hanging tree branches (<2m from the ground) to provide (vertical separation between fuel layers;
- Prune larger trees to maintain horizontal separation between canopies;
- Minimise the storage of flammable materials such as firewood;
- Maintain vegetation clearance around vehicular access and water supply points;
- Use low-flammability species for landscaping purposes where appropriate;
- Clear out any accumulated leaf and other debris from roof gutters and other accumulation points.

It is not necessary to remove all vegetation from the hazard management area, trees may provide protection from wind borne embers and radiant heat under some circumstances.

Certification No. J7740

Mark Van den Berg
Acc. No. BFP-108
Scope 1, 2, 3A, 3B, 3C.

Do not scale from these drawings. Dimensions to take precedence over scale. Written specifications to take precedence over diagrammatic representations.	1433 Dolphin Sands Road, Dolphin Sands, Tas., 7190	C.T.: 54666/206 PID: 5280443	Date: 26/09/2022	Bushfire Hazard Management Plan 1433 Dolphin Sands Road, Dolphin Sands. September 2022 J7740v1.0 Bushfire Management Report 1433 Dolphin Sands Road, Dolphin Sands. September 2022 J7740v1.0	Drawing Number: A01	Sheet 1 of 1 Prepared by: MvdB

Appendix D

Planning Certificate

BUSHFIRE-PRONE AREAS CODE

CERTIFICATE[1] UNDER S51(2)(d) *LAND USE PLANNING AND APPROVALS ACT 1993*

1. Land to which certificate applies

The subject site includes property that is proposed for use and development and includes all properties upon which works are proposed for bushfire protection purposes.

Street address:	1433 Dolphin Sands Rd, Dolphin Sands, TAS, 7190
Certificate of Title / PID:	54666/206

2. Proposed Use or Development

Description of proposed Use and Development:	Subdivision of land resulting in 2 lots plus balance
Applicable Planning Scheme:	Tasmanian Planning Scheme - Glamorgan-Spring Bay

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Plan of Subdivision	PDA surveyors	26/07/2022	49882HC-1
Bushfire Hazard Report 1433 Dolphin Sands Road, Dolphin Sands. September 2022 J7740v1.0	Mark Van den Berg	26/09/2022	1
Bushfire Hazard Management Plan 1433 Dolphin Sands Road, Dolphin Sands. September 2022 J7740v1.0	Mark Van den Berg	26/09/2022	1

[1] This document is the approved form of certification for this purpose and must not be altered from its original form.

4. Nature of Certificate

The following requirements are applicable to the proposed use and development:

☐	**E1.4 / C13.4 – Use or development exempt from this Code**	
	Compliance test	**Compliance Requirement**
☐	E1.4(a) / C13.4.1(a)	Insufficient increase in risk

☐	**E1.5.1 / C13.5.1 – Vulnerable Uses**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.5.1 P1 / C13.5.1 P1	***Planning authority discretion required. A proposal cannot be certified as compliant with P1.***
☐	E1.5.1 A2 / C13.5.1 A2	Emergency management strategy
☐	E1.5.1 A3 / C13.5.1 A2	Bushfire hazard management plan

☐	**E1.5.2 / C13.5.2 – Hazardous Uses**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.5.2 P1 / C13.5.2 P1	***Planning authority discretion required. A proposal cannot be certified as compliant with P1.***
☐	E1.5.2 A2 / C13.5.2 A2	Emergency management strategy
☐	E1.5.2 A3 / C13.5.2 A3	Bushfire hazard management plan

☒	**E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.6.1 P1 / C13.6.1 P1	***Planning authority discretion required. A proposal cannot be certified as compliant with P1.***
☐	E1.6.1 A1 (a) / C13.6.1 A1(a)	Insufficient increase in risk
☒	E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 for all lots (including any lot designated as 'balance'.
☐	E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement

☒	**E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.6.2 P1 / C13.6.2 P1	***Planning authority discretion required. A proposal cannot be certified as compliant with P1.***
☐	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk
☒	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables

☒	**E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes**	
	Acceptable Solution	**Compliance Requirement**
☐	E1.6.3 A1 (a) / C13.6.3 A1 (a)	Insufficient increase in risk
☐	E1.6.3 A1 (b) / C13.6.3 A1 (b)	Reticulated water supply complies with relevant Table
☐	E1.6.3 A1 (c) / C13.6.3 A1 (c)	Water supply consistent with the objective
☐	E1.6.3 A2 (a) / C13.6.3 A2 (a)	Insufficient increase in risk
☒	E1.6.3 A2 (b) / C13.6.3 A2 (b)	Static water supply complies with relevant Table
☐	E1.6.3 A2 (c) / C13.6.3 A2 (c)	Static water supply consistent with the objective

5. Bushfire Hazard Practitioner

Name:	Mark Van den Berg	**Phone No:**	03 62231839
Postal Address:	29 Kirksway Place Battery Point Tas. 7004	**Email Address:**	mvandenberg@geosolutions.net.au
Accreditation No:	BFP – 108	**Scope:**	1, 2, 3a, 3b & 3c

6. Certification

I certify that in accordance with the authority given under Part 4A of the *Fire Service Act 1979* that the proposed use and development:

☐ Is exempt from the requirement Bushfire-Prone Areas Code because, having regard to the objective of all applicable standards in the Code, there is considered to be an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures, or

☒ The Bushfire Hazard Management Plan/s identified in Section 3 of this certificate is/are in accordance with the Chief Officer's requirements and compliant with the relevant **Acceptable Solutions** identified in Section 4 of this Certificate.

Signed: *certifier*

Name: Mark Van den Berg **Date:** 26/09/2022

Certificate Number: J7740

(for Practitioner Use only)

Rep 1 –

Dear General Manager,

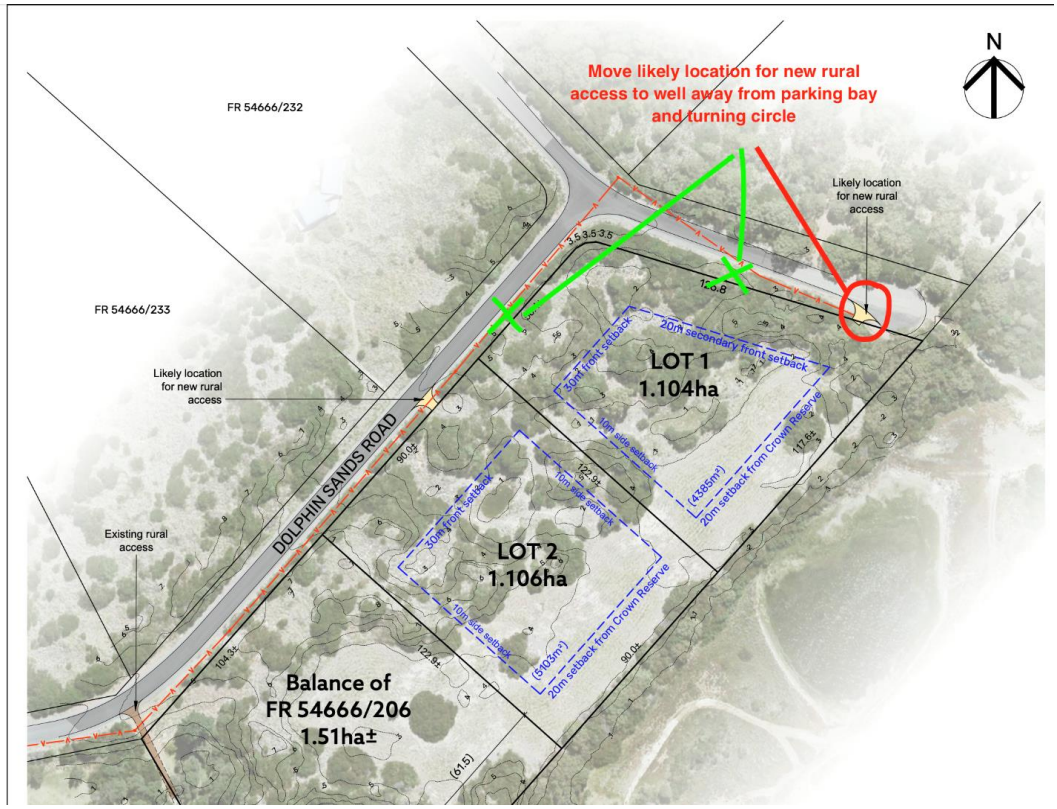
I would like to make a representation regarding the subdivision of RA1433, whilst I have no issue with the plan to subdivide, I do however have a concern with the proposed location of one of the rural accesses to LOT 1 of the subdivision.

This is the only parking available to service the busy Bagot Point recreation area and over the summer the turning circle / Parking area gets quite full and placing a driveway anywhere in the area will become a safety concern and make it harder to park a car, boat trailer, camper and caravan for short term parking forcing more people down onto the sand area again compromising the safety of recreational beach users.

The new proposed access is also very close to beach access and will cause visibility issues with vehicles entering and exiting the Bagot Point hard sand area for the purpose of boat launching and retrievals. A Vehicle entering or leaving the new proposed access will not have sufficient line of sight for a safe distance to do so safely so close to the beach access way.

I would propose that the access be moved back up the road past the driveway for RA 1381 that is on the opposite side or back around the corner closer to LOT 2 Proposed access.

Thank you for taking the time to hear my concerns and please let me know if there is anything more I need to do to have my representation heard



Rep 2 –

Dear General Manager,

I wish to submit this representation against SA2022/031 - 3 Lot Subdivision at RA1403 Dolphin Sands Road, Dolphin Sands.

I am aware that there is a current draft amendment to the LPS submitted by GSBC to the TPC (AM-GLA-AM-2022-02) to amend clause GSB-P1.7.1 with the intent of preventing further residential subdivision in Dolphin Sands, just as the situation was before the word “or” was unintentionally included in the relevant clause of the LPS.

The reasons for my representation against the subdivision application are the same as the reasons that I provided against the subdivision application at RA907 Dolphin Sands Road in 2022, an application which GSBC councillors (as the planning authority) unanimously rejected. These reasons are consistent with my submissions to GSBC and the TPC regarding draft amendment AM2022-02.

I have copied my representation regarding the subdivision application at RA907 Dolphin Sands Road here and also my further submissions to Council and the TPC regarding AM2022-02, which in total give my reasons for my representation against the current application for subdivision.

Yours sincerely,

Attachment 1 -

13th July 2022

Dear General Manager,

I am writing to bring to your attention an anomaly in relation the application for a 4 lot sub-division at RA907 Dolphin Sands Road, Dolphin Sands, as advertised on Council's website. On the basis of this anomaly, this email is in effect a representation against the sub-division as I believe that the Performance Criteria used as the basis for the proposal are flawed.

The Performance Criteria that have been used for the proposed sub-division are based on the **GSB-P1.7.1 Development standards for Subdivision** under the **Tasmanian Planning Scheme – Glamorgan Spring Bay** that came into use on 30th March 2022.

I have checked these current criteria against the previous **Glamorgan Spring Bay Interim Planning Scheme 2015** that it replaced, and it appears that there has been a very significant change to the Performance Criteria regarding subdivisions in Dolphin Sands.

The inclusion of the word "or" after clause GSB-P1.7.1 Subdivision P1(a) effectively makes 1ha sub-divisions with frontages of greater than 60m permissible anywhere in Dolphin Sands. Further, this inclusion results in a non-sensical situation where the intent of the Performance Criteria is lost as it effectively gives a choice between creation of public spaces and residential development with certain sizes and frontages.

As a resident of Dolphin Sands over the last 2 ½ years, my understanding was that sub-division of residential land for further residential development was not permissible in Dolphin Sands, unless the subdivision was to create public parks, reserves or the like for services. Even then, there were size and frontage limitations to the created lots. There has certainly not been any community consultation regarding changing the zoning rules to more broadly permit residential 1ha sub-divisions in Dolphin Sands. Further, my initial research of the TPC website indicates that there is not any record of this amendment in the log of changes that the TPC considered and approved in moving to the new GSB Planning Scheme. Surely, this change would have drawn attention and necessitated discussion, had it been intended.

I am assuming that this change, which is small in content, but massive in impact, resulted from an error that has slipped through the system.

If my assumption is correct, my guidance is that Council needs to act with speed to highlight, take responsibility for and correct this error to limit the damages that Council and Dolphin Sands property owners might suffer. Council's action should include not approving the sub-division at

907 Dolphin Sands Road and re-imbursing the applicants if they have had costs to date in preparing and submitting their application.

I have copied in a broader distribution on this email as it is a matter that impacts all of those who participated in the process of developing, approving and implementing the currently approved Planning Scheme.

I look forward to a rapid, sensible and positive response to this email, including confirmation of my assumption that the change to the Performance Criteria was an error and that Council has the matter in hand.

Regards,

Attachment 2 –

12 January 2023

Dear General Manager,

I wish to make a representation in support of GSBC's proposed amendment AM2022-02 to the Glamorgan Spring Bay Local Provisions Schedule, Dolphin Sands PPZ.

As a resident of Dolphin Sands over the last ~3years, it is clear to me that the inclusion of the word "or" in the development standards was an error and importantly was not intended.

My understanding was that sub-division of residential land for further residential development was not permissible in Dolphin Sands, unless the subdivision was to create public parks, reserves or the like for services, with size and frontage limitations on the created lots. The intent of the development standards for Dolphin Sands is made clear in the previous provisions under the Glamorgan Spring Bay Interim Planning Scheme 2015 and the Glamorgan Spring Bay Planning Scheme 1994.

I also understand that the current planning provisions are the result of moving to The Tasmanian Planning Scheme – Glamorgan Spring Bay (the combination of the Local Provisions Schedule and the State Planning Provisions) that formally came into effect for Glamorgan Spring Bay Local Government area on 30 March 2022 and replaced the former Glamorgan Spring Bay Interim Planning Scheme 2015.

There has certainly not been any community consultation regarding changing the zoning rules to more broadly permit residential 1ha sub-divisions in Dolphin Sands. Further, my initial research of the TPC website indicates that there is not any record of this amendment in the log of changes that the TPC considered and approved in moving to the new GSB Planning Scheme. Surely, this change would have drawn attention and necessitated recording and discussion, had it been intended.

There is also no public record of GSBC specifically considering this very significant change to the intent and impact on the Dolphin Sands development standards.

Further, this inclusion of the word "or" results in a non-sensical situation where the intent of the Performance Criteria is lost as it effectively gives a choice between creation of public spaces and residential development to meet the development standards.

Errors have consequences and I have no doubt that for the applications that were made under the erroneously published development standards, some party or parties will be responsible for the

applicant's costs associated with preparing and making the submissions to meet published criteria that were incorrect.

However, the responsibility and compensation for making of the error should not cloud the consideration of whether this change to the development standards was ever intended. It was clearly never intended and should be corrected accordingly in order to maintain the integrity and intent of the planning provisions for Dolphin Sands.

Regards,

Attachment 3 –

Friday 21th July 2023

Tasmanian Planning Commission
GPO Box 1691
Hobart TAS 7001

Email submission: tpc@planning.tas.gov.au

Dear Sir / Madam,

Re – Glamorgan Spring Bay Draft Amendment AM2022-02

I am a resident of Dolphin Sands and have made previous representations regarding this matter. I have still yet to see evidence that the changes to the LPS which has prompted the current draft amendment AM2022-02 was anything more than an error, as demonstrated by it being:

- never planned
- never proposed
- never considered
- never discussed
- never logged
- never reported

In summary, it appears that the change (inclusion of the word "or" after one sub-clause and "and" after another) was **never intended** by any of the planning authorities and indeed created a choice under the Performance Criteria that was illogical and contradictory to the planning objectives.

The fact that the overlying objectives for the Dolphin Sands area had not changed substantially over a long period of time supports the proposition that this was an administrational error and has created a situation where the sub-division provisions are not aligned to nor supportive of the objectives.

In summary, I believe that this error should not be treated as a planning matter.

However, even as a planning matter, the overall planning objectives for Dolphin Sands are, and have been for many years under prior planning schemes, clear in highlighting the need to protect the area. The objectives are:

GSB-P1.1.1 To protect the environmentally fragile nature of the Dolphin Sands area particularly with respect to land stability, vegetation, wildlife and landscape amenity.
GSB-P1.1.2 To ensure that use or development has minimal disturbance to the natural environment and visual amenity of the area.

These appear to be the type of objectives (with underlying objectives and provisions such as the DRAFT amendment AM2022-02 currently under consideration) that are permissible under Section 32 (4) (a) and (b) of the Act. It seems unusual that the TPC has required GSBC at this stage to provide evidence supporting this position.

Likewise, the unintended change to the LPS that permitted further residential sub-division would seem to be at odds with and contradictory to these objectives, particularly without detailed consideration and study before the previous grammar change was made.

The arguments introduced by the Surveyor of the representors against the amendment only seem to have arisen post the change in grammar i.e. that Dolphin Sands is “like” Cambria Estate and that the Natural Assets Code should be more universally applied to retrospectively justify infill sub-division and greater densities in Dolphin Sands. The probability is that there were not any sub-division applications made or submitted in Dolphin Sands prior to the inclusion of the grammar change because the rules were clear, although the argument to consider other codes and nearby area densities could have been put forward at that time if it was so obvious and reasonable. Perhaps the TPC should ask GSBC how many sub-division applications there were in Dolphin Sands prior to the unintended grammar change.

As a taxpayer, it pains me to see already scarce and stretched resources being deployed on a matter like this with a long and protracted process.

As a ratepayer and property owner living in Dolphin Sands for the last 3 ½ years, I can confirm that the current density of permitted development is what we expected from this area based on the objectives and regulations in place when we purchased. It seems a fitting density of development given the:

- Need for site-based septic systems
- Aquifer underlying the entire area which is the water supply for many of the residential blocks
- Extensive flora and fauna of the area
- Visual amenity provided
- Potential increased fire hazard from increased population densities, in an area that has limited egress routes

The current development in the area is the effect of the planning provisions that have been in place over many years with the intent of protecting a relatively sensitive area.

In summary, I seek the TPC’s support in approving the draft amendment which will align (actually re-align) the planning provisions with the intent of the planning objectives and with the expectations of the residents and ratepayers of Dolphin Sands.

Yours faithfully.

Rep 3 –

Mr Greg Ingham
General Manager
Glamorgan Spring Bay Council

Dear Mr Ingham

I would like to submit a representation on current subdivision application numbers SA2022 - 031 for RA1433 Dolphin Sands Road, and SA2022 - 034 for RA945 Dolphin Sands Road.

The applications are both made by PDA Surveyors, Engineers and Planners seeking to subdivide 3.764ha and 12.14ha sites respectively into 7 separate sites as small as 1.104ha.

PDA are currently party to a hearing before the Tasmanian Planning Commission directly relating to an issue affecting GSB-P1.7-Subdivision under the Dolphin Sands Particular Purpose Zone local provision of the Tasmanian Planning Scheme. Specifically, the Performance Criteria P1 part (a) which carries an incorrectly placed word "or". This word did not appear in the past versions, and an amendment AM2022-02 is currently being heard by the TPC to rectify the identified error.

Dolphin Sands is widely recognised as being a fragile environment. Any decisions relating to the number and size of subdivisions (and subsequently, developments) warrant increased scrutiny and caution. In the words of the TPC (DOC/23/92876), it would be a natural injustice to make a planning decision without first being able to fully investigate all sides to this pending amendment.

Given the direct involvement of PDA in the current TPC hearing, and that Glamorgan Spring Bay Council have also made a submission to the TPC in relation to AM2022-02, I submit that no subdivision applications (including SA2022 - 031 and SA2022- 034) be approved, pending the outcome of the current TPC hearing. After such time, the applications should then be re-advertised to allow community members to submit any representations (for or against) based on AM2022-02 being adopted or otherwise.

Thank you

Rep 4 –

The General Manager

I would like to make a representation against SA2022-031. The application is for subdivision of RA1433 Dolphin Sands Rd into 3 separate titles. The address in question backs directly onto Bagot Point Coastal Reserve, a critical habit for birdlife, located at the eastern-most end of Dolphin Sands at the mouth of the Moulting Lagoon Game Reserve.

This small and sandy point has suffered significant erosion in recent years, changing shape and losing much of it's shorebird breeding grounds to rising sea levels and storm tides. When Dolphin Sands was subdivided in 1970, surveyor E. Barry Valentine was charged with maximising the number of allotments but also ensuring the land would be able to support development without causing damage to the environment, wildlife and birdlife.

The Dolphin Sands subdivision was marketed on the allure of having large blocks: "Each allotment is big - big enough to really breathe on - large holiday home sites from 5 to 50 acres". The surveyor has deliberately kept this site, shown as LOT206 on the Folio Plan, larger than the surrounding allotments. This site is at the very end of the road, forming the only barrier between the river mouth with bird breeding area, and the rest of Dolphin Sands.

This site is the last stop for wildlife on the peninsular, it is adjacent to the only potential water-evacuation point for residents and visitors in the case of a bushfire, and it is key to stabilising the shape of Bagot Point. Any erosion through additional foot traffic, clearing of vegetation, or changing of wind dynamics by way of building dwellings, adding sheds, water tanks and open driveways, has the potential to impact a large number of other allotments at that eastern end of the Dolphin Sands peninsular.

The 3 titles would all be under the 5 acre minimum size of the original subdivision. The 2 new titles stand to be barely over half that. I am aware that new planning schemes may now allow for some allotments to be this small, but the amenity of having this unique allotment, the last along the Dolphin Sands Peninsular, larger in size must be just 1 overriding reason for refusing the application. The added burden this additional subdivision places on the environment at this unique site is simply too much to sustain. These new allotments would pose other threats to Bagot Point also, through additional septic disposal, and potential additional draw on the very end of the aquifer, which is very much under stress from overuse and pollution already.

I steadfastly oppose any subdivision of this unique allotment. Backing directly on to Bagot Point Coastal Reserve, the land at RA1433 Dolphin Sands Rd must not be subdivided. Protect our wildlife, protect our internationally recognised birdlife and breeding area, and protect Dolphin Sands and our amenity. Please rule against this application.

Sincerely,

Rep 5 –

Glamorgan Spring Bay Council
The General Manager
Planning Department

Dear Sir,
Development Application 3 lot subdivision
RA 1433 Dolphin Sands Road,
CT 54666/206
I refer to the above application and believe it should not proceed. At the time of acquiring my block of land in the subdivision (Lot 232 CT 54666/232 RA1376) I was informed that subdivision of the blocks was not permitted and that a minimum block size of 5 Acres (2.0234 HA) must be maintained. There was one example of ,I believe a strata title, at lot 208 but no further subdivision or multiple use was permitted. These restrictions added to the nature of the development, its ambience and attraction. It limited the the amount of road traffic, and other general disturbance. The limitation on block size also limited the potential impact and usage of the underlying aquifer.
The current application is outside those limitations and could by precedence lead to the development of, in excess of, a further 240 blocks. That impact would be significant.

I understand that this application has been enabled by the current wording of GSB-P1.7 which I am told was partially inadvertently changed by omission/insertion and it no longer is in accord with the initial intent as described above, that is that there be no subdivision within the Dolphin Sands development. It seems clear that the original and correct intent of the planning scheme should be corrected before the consideration of this subdivision application.

Yours Faithfully,