



Meander Valley Council
Working Together

AGENDA

ORDINARY COUNCIL MEETING

Tuesday 14 November 2023

Time 3.00pm

Location Council Chambers
26 Lyall Street
Westbury, Tasmania

Phone (03) 6393 5300

Our Values

Our seven values help guide our decisions and underpin all we do.

Respect, listen and care for one another

Be trustworthy, honest and tolerant

Be positive and receptive to new ideas

Be innovative, creative and learn

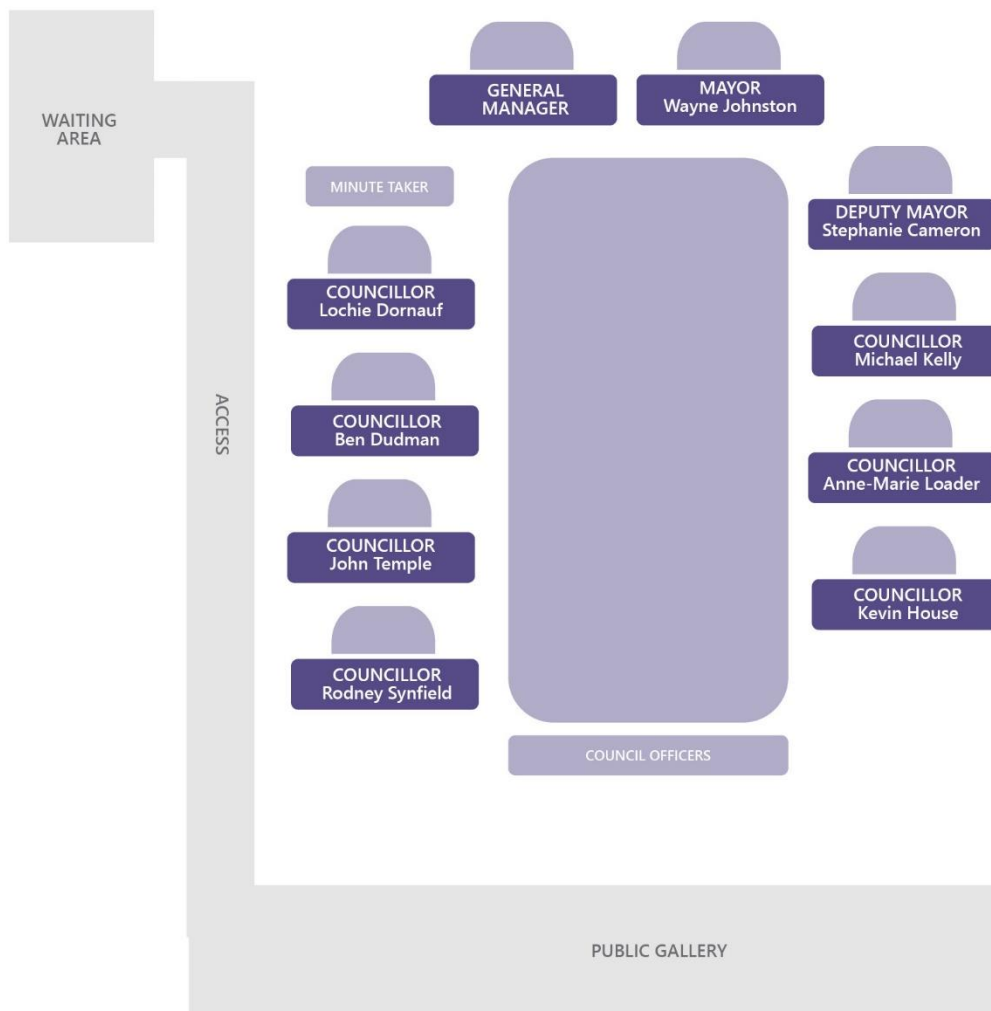
Take a fair, balanced and long term approach

Use sound business practices

Work together

Council Chambers

Seating Plan



Going to a Council Meeting

Members of the community are encouraged to engage with Council's monthly meetings. You can submit questions online or attend in person.

Our website offers handy fact sheets with information about what to expect at a Council Meeting, including how to participate in Public Question Time.

After the meeting, you'll find minutes and an audio recording online.

Hard copies of agendas and minutes are also available to view at the Council offices.

Learn more

Click here to find fact sheets about attending a Council meeting, or to submit a question online.

A copy of the latest agenda and minutes are available to view at the Council offices in Westbury. **Click here** to view agendas and minutes online, or listen to audio of our meetings.

You can also contact the Office of the General Manager by phone on (03) 6393 5300, or email ogm@mvc.tas.gov.au to submit a question or learn more about opportunities to speak at a Council Meeting.

Public Access to Chambers

Where there is a need to manage demand, seating will be prioritised as follows:

For planning decisions: applicants and representors have first priority. A representor is a community member who writes to Council to object to or support a planning application (statutory timeframes apply for becoming a representor during the planning process).

For all decisions: Members of the media are welcome to take up any seats not in use by the public, or email ogm@mvc.tas.gov.au to request specific information about a Council decision. Media requests received by email before close of business (or the end of the meeting) will receive a same-day response.

Attendees are requested to consider the health and wellbeing of others in attendance.

If you are symptomatic or in an infectious state then you are requested to stay away or follow good-practices to minimise risk to others. This includes measures such as social distancing, wearing of face-masks and the use of hand sanitisers.

Conduct at Council Meetings

Visitors are reminded that Council Meetings are a place of work for staff and Councillors.

Council is committed to meeting its responsibilities as an employer and as host of this important public forum, by ensuring that all present meet expectations of mutually respectful and orderly conduct.

It is a condition of entry to the Council Chambers that you cooperate with any directions or requests from the Chairperson or Council officers.

The Chairperson is responsible for maintaining order at Council Meetings. The General Manager is responsible for health, wellbeing and safety of all present. The Chairperson or General Manager may require a person to leave Council premises following any behaviour that falls short of these expectations. It is an offence to hinder or disrupt a Council Meeting.

Access & Inclusion

Council supports and accommodates inclusion for all who seek participation in Council Meetings, as far as is practicable.

Any person with a disability or other specific needs is encouraged to contact Council before the meeting on (03) 6393 5300 or via email to ogm@mvc.tas.gov.au to discuss how we can best assist you with access.

Certificate of Qualified Advice

A General Manager must ensure any advice, information or recommendation is given to Council by a person with the necessary qualifications or experience: section 65, *Local Government Act 1993*.

Council must not decide on any matter without receiving qualified advice, or a certification from the General Manager.

Accordingly, I certify that, where required:

- (i) the advice of a qualified person was obtained in preparation of this Agenda; and
- (ii) this advice was taken into account in providing general advice to Meander Valley Council; and
- (iii) A copy of any such advice (or a written transcript or summary of oral advice) is included with the agenda item.



Jonathan Harmey
GENERAL MANAGER

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Meeting Open - Attendance & Apologies

Acknowledgment of Country

Council acknowledges the Pallitore and Panninher past peoples and the traditional owners and custodians of the land on which we gather for the Council Meeting, with respects paid to elders past and present and extended to all Aboriginal and Torres Strait Islander peoples present.

Confirmation of Minutes

Motion Receive and confirm minutes of the last Ordinary Council Meeting held 10 October 2023.

Vote Simple majority

Declarations of Interest

Nil received prior to agenda publication.

Council Workshop Report

Topics Discussed – 24 October 2024

External Presentation: Department of Justice Northern Correctional Facility Update

Review of Council Policy No. 24

Bracknell Hall Opening Debrief

Community Strategic Plan Development

Deloraine Recreation Precinct Masterplan Update

Bicycle Lanes Westbury Road, Prospect Vale

Public Toilets Lake Parangana & Lake Rowallan

Council Submission to Public Consultation of Draft Development Assessment Panel Framework

Items for Noting

Roxford Road Bridge, Quamby Brook

Mayor & Councillor Report

Councillor Official Activities and Engagements Since Last Meeting

11 October 2023

Meeting: Carrick Community Hall

Attended by:

Cr House

Cr Synfield

17 October 2023

Meeting: Northern Tasmanian Development Corporation Lunch

Attended by:

Mayor Johnston

Deputy Mayor Cameron

Cr Dornauf

Cr Dudman

Cr House

Cr Temple

Cr Loader

Cr Synfield

Meeting: MVC Flood Debrief - Emergency Preparedness Community Information Session

Attended by:

Mayor Johnston

Deputy Mayor Cameron

Cr Loader

Cr House

Cr Synfield

19 October 2023

Meeting: Mole Creek Progress Association

Attended by:

Cr Loader

24 October 2023

Council Event: Citizenship Ceremony

Attended by:

Mayor Johnston

Deputy Mayor Cameron

Cr Dudman

Cr House

Cr Loader

Meeting: Aged Care Deloraine AGM

Attended by:

Mayor Johnston

25 October 2023

Meeting: Great Western Tiers Tourism Association

Attended by:

Cr Loader

Cr Dudman

Meeting: Aged Care Deloraine AGM

Attended by:

Mayor Johnston

Cr Dudman

Meeting: Rotary Club of Westbury

Attended by:

Cr Dudman

27 October 2023

Community Event: Westbury Primary School Fair

Attended by:

Cr Loader

Community Event: Meander Valley Art Awards Opening Night

Attended by:

Mayor Johnston

Cr Loader

Cr Dudman

29 October 2023

Meeting: Rotary Club of Westbury Car Show

Attended by:

Cr Loader

Cr Dudman

1 November 2023

Meeting: LGAT Conference

Attended by:

Mayor Johnston

Cr Loader

Cr Dudman

Meeting: Blackstone Heights Community Meeting

Attended by:

Cr House

Cr Synfield

2 November 2023

Meeting: LGAT Conference

Attended by:

Cr Loader

Cr Dudman

Meeting: Meeting with Hon Kristy McBain MP, Federal Minister for Local Government

Attended by:

Cr Loader

Cr House

Cr Dudman

Cr Synfield

9 November 2023

Meeting: Westbury Backyard Bandicoots

Attended by:

Cr Loader

10 November 2023

Meeting: Westbury Show and Book Launch

Attended by:

Cr Dudman

13 November 2023

Community Event: November Community Bank Deloraine and Districts Grants Presentation

Attended by:

Mayor Johnston

Cr Loader

Cr Dudman

Councillor Announcements & Acknowledgements

Petitions

Nil received prior to agenda publication.

For further information about petitions, refer to the *Local Government Act 1993*: ss57-60A.

Community Representations

Nil requests received.

Community representations are an opportunity for community members or groups to request up to three minutes to address Council on a topic of particular interest.

Requests received at least fourteen days prior to a Council Meeting will be considered by the Chairperson. For further information, contact the Office of the General Manager on (03) 6393 5300 or email ogm@mvc.tas.gov.au.

Public Question Time

Members of the public may ask questions in person or using our online form.

Thirty minutes is set aside for members of the public to ask questions provided with or without notice. Council will accept up to two questions "with notice" and two questions "without notice" per person, per meeting.

Click here to submit an online question.

Refer to pages 3 and 4 of this agenda for more information about attending a Council Meeting.

This Month's Public Questions With Notice

Question 1: *Tanya King, Project Officer, Deloraine House (taken on notice October 2023)*

I thank the General Manager, Jonathan Harmey, for his response to my question regarding the Apex Club of Deloraine's operation of the Deloraine Caravan Park indicating that the financial reports are publicly available. The Apex Australia Annual Report for 2022-23: Region 10 - Tasmania – notes from the Regional Communicator states "that the main concern is the future of the organisation in Tassie". The report for the Deloraine Club states, - "no contact made".

Could Council please advise where the financial information for the Deloraine Apex Club is publicly available?

Jonathan Harmey, General Manager advised that Tanya King was advised on 31 October that financial information for the APEX Club of Deloraine (Association: IA08979) can be obtained online through the Tasmanian Government's association register, link as follows: <https://www.cbos.tas.gov.au/topics/clubs-fundraising/incorporated-associations/search-register>

Question 2: *Craig Zimitat, Editor Meander Valley Gazette (received via website)*

Councillors frequently comment at Planning Authority meetings about community concerns regarding the loss of heritage character by constituents in local communities. The loss of character includes examples such as building blocks of townhouses in an precinct of buildings with historical character. Most recently there were concerns raised about the effects of development on an Elm tree in Carrick which has great community significance

– which was recognised by comments made by Councillors. Planners noted that “the tree is not formally heritage listed or otherwise given protection in the planning scheme or other legislation”.

The Tasmanian Planning Scheme is made up of two components the State Planning Provisions; and the Local Provisions Schedule. Given the frequency of concerns raised by community members in submissions and by Councillors in Planning Authority meetings, when will council develop a Local Provisions Schedule to manage matters that are vitally important to the character of our communities and health and well-being of community members?

Krista Palfreyman, Director Development & Regulatory Services advised that Meander Valley Council has been operating under the Tasmanian Planning Scheme (comprising of both the State Planning Provisions (SPP) and the Local Provisions Schedule (LPS)) since April 2019.

Council' Strategic Planner will work closely with Councillors and the community to identify matters of significance that warrant protection through the LPS, and if required, prioritise these projects and progress feasible planning scheme amendments accordingly.

Question 3: *Tanya King, Westbury (received via email)*

I thank Director Krista Palfreyman for her response to my previous question regarding the date of the zoning change in Westbury.

The implementation of the Specific Area Plan in 2021 allowing for subdivision of lots that had a previous minimum lot size of 5 acres has resulted in significant intensification in development in Westbury, and a substantial increase in traffic movements. As Director De Paoli advised that Council last considered the sealing of gravel roads in Westbury in 2018, could Council please advise when the consideration for the sealing of roads in Westbury will occur again, and if the development, intensification of dwellings and significantly increased traffic movements shall be considered?

Dino De Paoli, Director Infrastructure Services advised that Council receives and assesses requests for capital works projects annually. These can be submitted at any time by community members or councillors.

Question 4: *Anette and Stephen Camino, Hagley (received via email)*

Any updates on the progress of the installation of the Westbury RV Dump Point?

Dino De Paoli, Director Infrastructure Services advised that there are no updates at this time.



This Month's Public Questions Without Notice

Councillor Question Time

This Month's Councillor Questions With Notice

Nil received prior to the publication of the agenda.

This Month's Councillor Questions Without Notice

Council as a Planning Authority

In planning matters, Council acts as a Planning Authority under the *Land Use Planning and Approvals Act 1993*. The following applies to all Planning Authority reports:

Strategy Council has an Annual Plan target to process planning applications in accordance with delegated authority and statutory timeframes.

Policy Not applicable.

Legislation Council must process and determine applications under the *Land Use Planning and Approvals Act 1993* (LUPAA) and its Planning Scheme. Each application is made in accordance with LUPAA, s57.

Consultation The "Agency Consultation" section of each Planning Authority report outlines the external authorities consulted during the application process.

Community consultation in planning matters is a legislated process. The "Public Response – Summary of Representations" section of each Planning Authority report outlines all complying submissions received from the community in response to the application.

Budget & Finance Where a Planning Authority decision is subject to later appeal to the Tasmanian Civil and Administrative Tribunal (Resource & Planning Stream), Council may be liable for costs associated with defending its decision.

Risk Management Risk is managed by all decision-makers carefully considering qualified advice and inclusion of appropriate conditions on planning permits as required.

Alternative Motions Council may approve an application with amended conditions, or may refuse an application.

Regardless of whether Council seeks to approve or refuse an application, a motion must be carried stating its decision and outlining reasons. A lost motion is not adequate for determination of a planning matter.

Motion Simple majority

Planning Authority Report

744 & 943 Birralee Road Westbury, 1210, 1410, 1470, 1471, 1510, 1517, 1554, 1572, 1663 & 1751 Birralee Road & 44 Delantys Road Birralee

| | |
|------------------------------|---|
| Proposal | Utilities (road upgrades) |
| Report Author | George Walker Town Planner – Consultant |
| Authorised by | Krista Palfreyman Director Development & Regulatory Services |
| Application reference | PA\24\0067 |
| Decision due | 15 November 2023 |
| Decision sought | It is recommended that Council approves this application. See section titled “Planner’s Recommendation” for further details. |

Applicant’s Proposal

| | |
|--------------------|--|
| Applicant | Department of State Growth C/O Pitt & Sherry |
| Properties | 744, 943 Birralee Road WESTBURY, 1210, 1410, 1470, 1471, 1510, 1517, 1554, 1572, 1663 & 1751 Birralee Road & 44 Delantys Road BIRRALEE (CT’s: 142529/1, 101557/1, 7684/1, 230999/1, 103182/1, 109124/1, 122109/1, 32059/2, 32059/1, 29735/3, 29735/1, 40649/2, 40649/3, 124701/1, 85318/5, 112822/1) |
| Description | The applicant seeks planning permission for road upgrades to Birralee Road which include multiple properties from 744 Birralee Road, Westbury through to 1751 Birralee Road, Birralee. Documents submitted by the Applicant are attached, titled “Application Documents”. |



Photo 1: Aerial image showing the location of the proposed road works within the Meander Valley Council section of Birrallee Road.

Planner's Report

| | |
|--|---|
| Planning Scheme | Tasmanian Planning Scheme - Meander Valley ("the Scheme") |
| Zoning | Agriculture Rural Rural Living |
| Applicable Overlays | C7.0 - Natural Assets Code - Waterway and Coastal Protection Area & Priority Vegetation Area. C13.0 - Bushfire-Prone Areas Code C15.0 - Landslip Hazard Code – Low Hazard Band. |
| Existing Land Use | Utilities (road) |
| Summary of Planner's Assessment | Generally, an application for Utilities is classed as permitted in the Rural Zone and discretionary in the Agriculture and Rural Living Zones. |

Discretions For this application, four (4) discretions are triggered. This means Council has discretion to approve or refuse the application based on its assessment of:

21.3.1 - P1 & P2 Discretionary Uses

C7.6.1 - P1 Buildings and works within a waterway protection area

C7.6.2 - P1 Clearance within a priority vegetation area

Before exercising a discretion, Council must consider the relevant Performance Criteria, as set out in the Planning Scheme.

See attachment titled "Planner's Advice - Performance Criteria" for further discussion.

Performance Criteria & Applicable Standards This proposal is assessed as satisfying the relevant Performance Criteria and compliant with all Applicable Standards of the Scheme.

See attachments titled "Planner's Advice – Applicable Standards" and "Planner's Advice – Performance Criteria" for further discussion.

Public Response Seven responses ("representations") were received from the public, including two from one party. Of these, four representations are objections, and three provide information regarding use of the road for timber production activities and school buses.

See attachment titled "Public Response – Summary of Representations" for further information, including the planner's advice given in response.

Agency Consultation *TasNetworks*

The application was referred to TasNetworks on 11 September 2023. The response advised, the development is likely to adversely affect TasNetworks' operations.

TasNetworks are currently working with the Department of State Growth to relocate affected poles along this route. The work will be ongoing with revisions underway as easements are granted (or not) by the affected land owners.

See attachment titled "Agency Consultation – TasNetworks".

Internal Referrals *Infrastructure Services*

Birrilee Road is a Department of State Growth Road. No conditions are recommended however Council acknowledges receipt of comments from the community concerning safety in the vicinity of bus drop off and pick up areas. It is therefore recommended that a note be included in the permit to encourage the Department of State Growth to consider improvement of infrastructure in those areas.

Planner's Recommendation to Council

The planner's recommendation, based on a professional assessment of the planning application and its compliance with the Planning Scheme, is set out below.

Council must note the qualified advice received before making any decision, then ensure that reasons for its decision are based on the Planning Scheme. Reasons for the decision are also published in the minutes.

For further information, see *Local Government Act 1993, s65, Local Government (Meeting Procedures) Regulations 2015, s25(2)* and *Land Use and Approvals Act 1993, s57*.

Recommendation

This application by Department of State Growth C/O Pitt & Sherry for Utilities (road upgrades) on land located at:

- 744 Birrilee Road, Westbury (CT142529/1);
- 943 Birrilee Road, Westbury (CT101557/1);
- 1210 Birrilee Road, Birrilee (CT103182/1, CT109124/1 and CT230999/1);
- 1410 Birrilee Road, Birrilee (CT122109/1);
- 1470 Birrilee Road, Birrilee (CT32059/2);
- 1471 Birrilee Road, Birrilee (CT32059/1);
- 1517 Birrilee Road, Birrilee (CT29735/1);
- 1510 Birrilee Road, Birrilee (CT29735/3);
- 1554 Birrilee Road, Birrilee (CT40649/2);
- 1574 Birrilee Road, Birrilee (CT40649/3);
- 1663 Birrilee Road, Birrilee (CT124701/1);
- 1751 Birrilee Road, Birrilee (CT85318/5);
- Birrilee Road, Birrilee (CT7684/1); and
- 44 Delantys Road, Birrilee (CT112822/1),

is recommended for approval generally in accordance with the Endorsed Plans, and recommended Permit Notes.

Endorsed Plan

- a) Buffer Plans Key Plan, Prepared by Pitt & Sherry, Drawing No's S-P.20.2000-00-CIV-SKT-200, Revision A, dated 07.09.2023;
- b) Tasmanian Planning Scheme - Zones, Prepared by Pitt & Sherry, Drawing No's S-P.20.2000-00-CIV-SKT-251, Revision A, dated 07.09.2023;
- c) Tasmanian Planning Scheme – Code Overlays, Prepared by Pitt & Sherry, Drawing No's S-P.20.2000-00-CIV-SKT-252, Revision A, dated 07.09.2023;
- d) Buffer Plans – Sheets 1, 2, 3 4, 5 and 7, Prepared by Pitt & Sherry, Drawing No's S-P.20.2000-00-CIV-SKT-253, 254, 255, 256, 258 and 259, Revision A, dated 07.09.2023;
- e) Buffer Plan – Sheet 5 (updated), Prepared by Pitt & Sherry, Drawing No. S-P.20.2000-00-CIV-SKT-257, Revision B, dated 23.10.2023; and
- f) Natural Values Assessment, Prepared by North Barker Ecosystem Services, PAS124, Dated 24th August 2022.

Permit Conditions

No conditions recommended.

Permit Notes

1. Council recommends that the Departemnt of State Growth improves infrastructure at bus stop locations on Biralee Road to improve safety.
2. Any other proposed development or use (including amendments to this proposal) may require separate planning approval. For further information, contact Council.
3. This permit takes effect after:
 - a) The 14-day appeal period expires; or
 - b) Any appeal to the Tasmanian Civil & Administrative Tribunal (TASCAT) is determined or abandoned; or
 - c) Any other required approvals under this or any other Act are granted.
4. Planning appeals can be lodged with TASCAT Registrar within 14 days of Council serving notice of its decision on the applicant. For further information, visit the TASCAT website.
5. This permit is valid for two years only from the date of approval. It will lapse if the development is not substantially commenced. Council has discretion to grant an extension by request.

6. All permits issued by the permit authority are public documents. Members of the public may view this permit (including the endorsed documents) at the Council Office on request.
7. If any Aboriginal relics are uncovered during works:
 - a) All works to cease within delineated area, sufficient to protect unearthed or possible relics from destruction;
 - b) Presence of a relic must be reported to Aboriginal Heritage Tasmania; and
 - c) Relevant approval processes for state and federal government agencies will apply.

Attachments

1. Public Response - Summary of Representations [12.1.1 - 6 pages]
2. Representation 1 - Manion's Coaches [12.1.2 - 2 pages]
3. Representation 2 - Forico Pty Limited [12.1.3 - 2 pages]
4. Representation 3 - S Danson [12.1.4 - 2 pages]
5. Representation 4 - A Gorman [12.1.5 - 3 pages]
6. Representation 5 - W Dobson [12.1.6 - 8 pages]
7. Representation 6 - D Swan [12.1.7 - 1 page]
8. Representation 7 - M Swan [12.1.8 - 3 pages]
9. Applicant's response to the representations [12.1.9 - 5 pages]
10. Planner's Advice - Applicable Standards [12.1.10 - 11 pages]
11. Planner's Advice - Performance Criteria [12.1.11 - 8 pages]
12. Application Documents [12.1.12 - 169 pages]
13. Agency Consultation - TasNetworks [12.1.13 - 1 page]

12.1.1 Public Response - Summary Of Representations

Public Response

Summary of Representations

A summary of concerns raised by the public about this planning application is provided below. Seven responses (“representations”) were received during the advertised period, including two from one party.

This summary is an overview only, and should be read in conjunction with the full responses (see attached). In some instances, personal information may be redacted from individual responses.

The applicant has provided a response to the matters raised in the representations (see attachment titled “Applicant’s response to the representations”).

Council offers any person who has submitted a formal representation the opportunity to speak about it before a decision is made at the Council Meeting.

Name *Manions’ Coaches – Representation 1*

Concern a) *Please see attached a map of our bus stops along Birralee Road. Our bus stops at seven different locations. We are wanting to ensure that the bus is still able to pull off on the side of the road safely to collect and drop off school children.*

Planner’s Response a) The matter raised is not directly applicable to the consideration of the planning application against the planning scheme.
Notwithstanding this, State Growth have advised that their policy is not to provide established pull-off areas for rural bus stops but the widened lanes and sealed shoulders proposed in the upgrade works will allow for school buses to stop safely.

Name *Forico Pty Limited – Representation 2*

Concern a) *Forico Pty Limited has no objection to the proposed planning permit. Adjoining land to the south-east of Birralee Road is managed for pine and eucalypt plantations managed by Forico Pty Limited. It is intended to progressively thin and harvest these plantations on a 10-25 year rotation and replant the trees again. The forestry operations are industrial in nature and include a range of activities as listed in the representation.*

12.1.1 Public Response - Summary Of Representations

Planner's Response

- a) Comments are noted. The matters raised are not relevant to assessment of the proposal against the planning scheme.

Name

S Danson – Representation 3

Concern

- a) *Concerns that disturbing the sheer drop that already exists on this bend in the road will cause further slippages and collapses of the bank. There is riparian areas of native trees on my fence line at the present which holds the bank together also supporting wild and giving shade to live stock.*
- b) *This would move the road closer to a shed and the house, the vibrations from the construction and the increased traffic and possible weight increase from heavy transport may damage foundations and the destruction of existing buildings.*
- c) *The access from the road way to the gate will be decreased making it difficult and dangerous from vehicles towing trailers and heavy rigid trucks to enter from the road.*
- d) *The development application is almost impossible to read and does not give an accurate plan of where the road is going to go and how much land is going to be taken, I have seen three different drawings from Pitt & Sherry and each one is different with different amounts of land being taken from the neighbours around me.*
- e) *How are waterways going to be affected, is this going to cause flooding to properties, is it going to affect drainage?*

Planner's Response

- a) The applicant has advised that the design at this location has been altered to minimise the works on the representor's property. While part of the works fall within a Low Landslip Hazard Band in this area, the work is exempt from assessment against the Landslip Hazard Code. Once the works are complete the batters will be revegetated and stabilised to reduce the risk of erosion.
- b) Birralelee Road is a Category 2 road. The proposal will not change the type or frequency of traffic using the road or the existing level of vibrations experienced by neighbouring properties.
- c) The applicant advises that only minor road works are proposed to the vehicle crossing for this property and will not greatly change the use of this access.

12.1.1 Public Response - Summary Of Representations

- d) The project may have gone through changes during the design phase, however the final proposal is as per the advertised plans. The applicant has now provided an amended design for this location, which reduces the proposed works. This plan will form part of the endorsed documents if the proposal is approved.
- e) The proposal includes some works within the waterway and coastal protection areas and is assessed against the applicable provisions. Any change to drainage to adjoining properties will generally be an improvement to existing conditions and will not cause flooding.

Name A Gorman – Representation 4

- Concern*
- a) *The applicant has refused to install a stock underpass at the representor's property, which is on both sides of Birralee Road. The forecast increase in traffic involves a doubling of freight traffic over the next ten years, making the moving of stock across the road increasingly hazardous., reducing the agricultural value of the property.*
 - b) *Other than a small number of local farm businesses the main beneficiary of this upgrade will be forestry and container freight to Bell Bay. If forestry is agricultural use, why do properties require a change of use permit prior to harvesting a tree plantation and returning the area to pasture and other agricultural production?*
 - c) *The applicant has written the application implying that Class 4 land has little to no value for agricultural production.*
 - d) *There are major discrepancies in what the applicant says is the road reserve and what landowners say is the road reserve. There are discrepancies between surveys.*

Planner's Response

- a) This is not a matter made relevant for assessment under the planning scheme. The applicant advises that existing access for agriculture including stock transfer across the road will be maintained. There are no existing stock underpasses and providing new ones does not form part of the scope of the proposal.
- b) The proposed works that require a permit only involve small areas of land and will not significantly constrain agricultural uses on adjoining land. The category and role of the road will not be altered by the proposal.

12.1.1 Public Response - Summary Of Representations

- c) The applicant indicated that Class 4 land is not prime agricultural land under the land classification system for Tasmania and the proposal is not subject to clauses of the planning scheme that deal with prime agricultural land only. This is correct as only Classes 1-3 constitute prime agricultural land.
- The proposal is assessed against the other applicable standards of the Agriculture Zone for Discretionary uses where it has been determined that the area of non-prime agricultural land to be converted to non-agricultural uses will be minimal within the context of the Agriculture zone contained within lots where proposed road upgrades are to be located.
- d) Preliminary design work is undertaken using existing government data, which can present some inaccuracies when data is old and there haven't been many recent surveys in the area. The applicant has advised that the final proposal plans are based on accurate survey data from recently completed surveys.

Name W Dobson – Representation 5

Concern a) *I had my surveyors check the boundary position to the road before I had plans done and all the old fencing was still in position. I have constructed new fencing around my property with State Growth approval and building/planning approval. They have created a new boundary around my property which is wrong (see attached email from Cohen & Associates). I hope when the design is complete, I will be happy with my part of the road.*

Planner's Response a) Preliminary design work is undertaken using existing government data, which can present some inaccuracies when data is old and there haven't been many recent surveys in the area. The applicant has advised that the final proposal plans are based on accurate survey data from recently completed surveys.

12.1.1 Public Response - Summary Of Representations

| | |
|---------------------------|--|
| <i>Name</i> | <i>D Swan and M Swan – Representation 6 & 7</i> |
| <i>Concern</i> | <p>a) <i>Refusal to consider an appropriate stock underpass to connect agricultural land on two sides of Birralelee Road.</i></p> <p>b) <i>The proposal will allow for removal of road access to title 103182/1. The access is the only direct road access to water infrastructure, used for supplementary house, stock and firefighting. The plans propose moving the access to another title which would require crossing paddocks which are often too wet for a truck to traverse.</i></p> <p>c) <i>We have been seeking to achieve a mutually agreeable outcome to the imposition of a Category 2 freight route on the identified residence. We have sought for the road to be moved 50m from the residence to improve safety for all. The plans as proposed do move the road slightly, but it is still not satisfactory. Understand that this cannot be considered under the current application, but want Council to be aware.</i></p> <p>d) <i>It is important to note that while the planning application is highly reliant on the notion that it only applies to 'small slivers of land', this would appear to be misleading, as it is facilitating a far more significant project. The road upgrade will actually constitute a 'change in use' for the road and residents.</i></p> <p>e) <i>Concerned about road safety at gateway of identified property used for house and farm infrastructure access.</i></p> <p>f) <i>Concerns as to the increased noise levels from the road, according to the Department's projected future usage, much of which occurs at night. Provision should be made to create a sound barrier on the road boundary.</i></p> |
| Planner's Response | <p>a) This is not a matter made relevant for assessment under the planning scheme. The applicant advises that existing access for agriculture including stock transfer across the road will be maintained. There are no existing stock underpasses and providing new ones does not form part of the scope of the proposal.</p> <p>b) The applicant advises that the proposed works are on the opposite side of the road and that the existing access to CT:103182/1 will not be removed.</p> <p>c) This is not a matter made relevant for assessment under the planning scheme.</p> |

12.1.1 Public Response - Summary Of Representations

- d) The road upgrades project includes a significant amount of work that falls under exemptions provided in the planning scheme for expected maintenance and upgrades of Utilities including roads. In this case some small areas of the proposed works fall outside the area covered by the exemptions and as such a development application is required for approval of those parts. The proposal does not constitute a 'change of use' under the planning scheme. A road falls into the Utilities use class and this will not change. Birralee Road is already a Category 2 freight route.
- e) The proposed road upgrades fully consider road safety including sight distances. The safety at vehicle crossings will be improved.
- f) There is no requirement in the planning scheme to provide noise attenuation for this proposal.

Note: The planning application was advertised in a local newspaper and on Council's website for a statutory period of 14 days from 30 September 2023 to 17 October 2023. The properties were also signposted.

12.1.2 Representation 1 - Manion's Coaches

From: [REDACTED]
Sent: Wed, 4 Oct 2023 10:52:03 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: PA-24-0067
Attachments: Birralelee bus route.docx

Attention general manager,

Please see attached a map of our bus stops along Birralelee Road, our bus stops at 7 different locations along Birralelee Road.

We are just wanting to ensure when any developments take place, that the bus is still able to pull off on the side of the road safely to collect and drop off school children.

PA-24-0067

Kind Regards.



Lisa Elliott
Administration Assistant

Manions' Coaches Pty Ltd

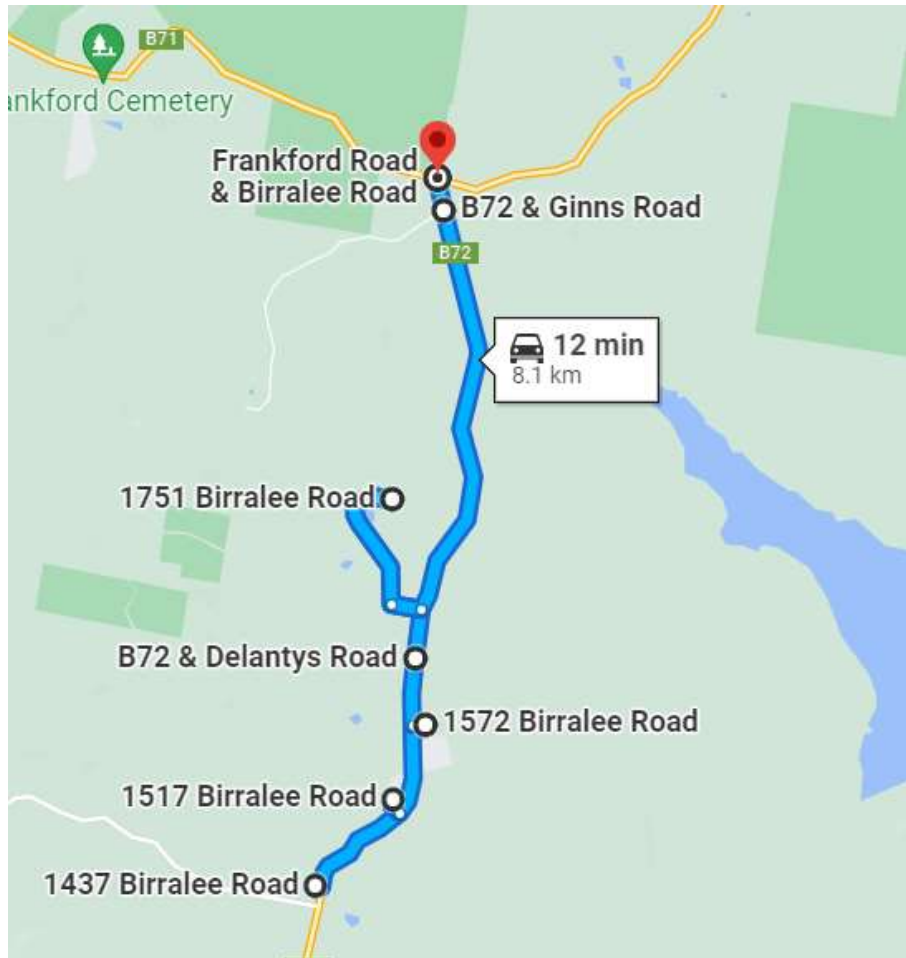


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12.1.2 Representation 1 - Manion's Coaches

Please note, the stop at 1517 is back a little bit at the shelter shed.

The stop at 1572 is opposite, at the cow shed.



12.1.3 Representation 2 - Forico Pty Limited

From: [REDACTED]
Sent: Tue, 17 Oct 2023 09:18:30 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: PA/24/0067
Attachments: Forico Response Letter to Council 17.10.2023.pdf

Dear General Manager

Please find attached a letter relating to the above Planning Application.

Kind regards

Teena Gathercole
LAND ADMINISTRATOR
WORK DAYS: MON-THUR

M [REDACTED]

E [REDACTED]



Forico Pty Limited | [REDACTED]
16 Techno Park Drive Kings Meadows TAS 7250 | PO Box 5316 Launceston TAS 7250

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17 October 2023

General Manager
Meander Valley Council
26 Lyall Street
WESTBURY TAS 7303

By email: planning@mvc.tas.gov.au

To the General Manager

Re - Proposed Planning Permit Application for PA\24\0067

I refer to your notice of application dated 29 September 2023 regarding the above planning permit application.

Forico Pty Limited would like to make sure the proponents of this planning permit are aware that the adjoining land to the South East of Birralee Road is managed by us and supports pine and eucalypt plantations used for the purpose of fibre production on a sustainable basis. It is our intention to progressively thin and eventually harvest these plantations on a 10-25 year rotation and replant the trees again.

The operations the proponents can expect are industrial in nature and include, but may not be limited to:

- Felling, processing and forwarding of logs using mechanical equipment and chainsaws;
- Road construction using bulldozers and excavators;
- Transport of processed logs using log trucks;
- Burning of logging slash;
- Site preparation using excavator type equipment;
- Weed control (aerial and ground application);
- Tree planting;
- Fertiliser application;
- Pest control;
- Tree pruning; and
- Tree measuring.

Forico Pty Limited has no objection to the proposed planning permit. It must be pointed out however that this is a traditional agricultural and / forestry area where these practices have been part of the landscape at Birralee for a long time. We therefore ask that the proponents are made aware of our activities that will occur on a periodic basis adjoining their property and they accept Forico Pty Limited's pre-existing right to manage our land for timber production purposes.

Yours sincerely

A handwritten signature in black ink, appearing to read "Jim Wilson".

Jim Wilson
General Manager – Enterprise Performance

Forico Pty Limited

ABN: 33 169 204 059

16 Techno Park Drive
Kings Meadows
Tasmania 7249 Australia

PO Box 5316
Launceston
Tasmania 7250 Australia

+61 3 6335 5201 (ph)
+61 3 6335 5497 (fax)

forico@forico.com.au
forico.com.au



Document Set ID: 1832573
Version: 1, Version Date: 17/10/2023

12.1.4 Representation 3 - S Danson

From: [REDACTED]
Sent: Tue, 17 Oct 2023 22:24:33 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Representation PA\24\0067
Attachments: Letter of Representation to Meander valley Council.docx

To General Manager,
Please find attached my representation for the PA\24\0067
Stephen Danson

12.1.4 Representation 3 - S Danson

Stephen Danson



17th October 2023

The address of the proposed development is Birralea Road, objection is at my address 1517 Birralea Road Birralea, Applicant Department of State Growth C/O Pitt & Sherry – PA\24\0067.

Concerns with this proposed development at the above address are the concerns that disturbing the sheer drop that already exists on this bend in the road will cause further slippages and collapses of the bank. There is riparian areas of native trees on my fence line at the present which holds the bank together also supporting wild and giving shade to live stock. Furthermore, this would move the road closer to a shed and the house hold the vibrations from the construction and the increased traffic and possible weight increase from heavy transport may damage foundations and the destruction of existing buildings. The access from the road way to the gate will be decreased making it difficult and dangerous from vehicles towing trailers and heavy rigid trucks to enter from the road. The development application is almost impossible to read and does not give an accurate plan of where the road is going to go and how much land is going to be taken, I have seen three different drawings from Pitt & Sherry and each one is different with different amounts of land being taken from the neighbours around me. We would like to see a total plan of what each land holder is going to lose, how much land, what infrastructure, how close to existing infrastructure the road is going to be stop hiding important information from us tell us what is happening. How are waterways going to be effected, is this going to cause flooding to properties, is it going to affect drainage, are we going to have to spend large amounts of money after the development has packed up and gone.

Stephen Danson

12.1.5 Representation 4 - A Gorman

From: [REDACTED]
Sent: Tue, 17 Oct 2023 12:44:03 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: PA\24\0067 Objection
Attachments: PA.24.0067 Objection AG.odt

Good afternoon

Please find attached an objection letter for the above mentioned planning application.

If you have any questions please do not hesitate to contact me on [REDACTED]

Kind regards

Alex Gorman

12.1.5 Representation 4 - A Gorman

Re: PA\24\0067

Dear Sir/Madam,

In regards to the above planning application and its impact on Property ID 7031264. I wish to raise concerns about the plans proposed by Pitt and Sherry on behalf of the Department of State Growth, and their impact on the undertaking of an agricultural business in land zoned for agriculture under the Meander Valley Planning Scheme.

In reference to the above mentioned property which straddles both sides of the Birralee Road the applicant states under 7.10 Agriculture zone

21.1.3 To provide for use or development that supports the use of the land for agricultural use. The proposed road upgrades are aimed at enhancing the connection of regional businesses to local and international markets, which will support agriculture in this zone and is consistent with 21.1.3.

The applicant has completely refused to install a stock underpass at the above mentioned property. This property has been owned by the same family since the Birralee Road was a gravel track with maybe a car or two per day. Moving stock across this road has gone from a gentle stroll to a death defying stunt.

Furthermore as the forecast increase in traffic involves a doubling of freight traffic from approximately 16 per hour now to 32 per hour over the next ten years, transferring stock from one side of the Birralee Road to the other will become increasing hazardous, reducing the agricultural value and output of the above mentioned property. This is on top of the massive increase in car and tourist traffic.

Other than a small number of local farm businesses the main beneficiary of this upgrade will be forestry and containerised freight traffic going through to Bell Bay. If forestry is an agricultural use, why do properties in the Meander Valley require a change of use permit prior to harvesting a tree plantation and returning the area to pasture and other agricultural production.

The applicant has also stated

7.10.2 Use Standards

The following Use Standards do not apply: • 27.3.3 Discretionary Use:

o A3/P3 (the road upgrades, which require a permit, are all located on Class 4 Agricultural Land, which is not prime agricultural land);

The Land Capability Handbook 1999 states on page 10 "Class 4 land is primarily suitable for grazing with occasional cropping." It goes on to also state that some parts of Tasmania can currently crop on this type of land more often due to a drying climate.

The applicant has written the application implying that class 4 land has little to no value for agricultural production.

Finally, there are major discrepancies in what the applicant says is the road reserve and what landowners say is the road reserve. Yes, the applicant carried out a survey, but so have some landowners including one that had their property surveyed less than two years ago. The survey carried out by the landowner has an accuracy of plus or minus 2 metres while the survey carried out by the applicant is plus or minus 30m. Another instance has the road reserve listed as going through the middle of a house that has stood in that location far longer than the list map has existed.

Based on the above information the application for all properties listed should be rejected until proper a survey has been carried out, and actual benefits to local agriculture are taken into account.

Kind regards

12.1.5 Representation 4 - A Gorman

Alexander Gorman


Document Set ID: 1832800
Version: 1, Version Date: 17/10/2023

12.1.6 Representation 5 - W Dobson

From: [REDACTED]
Sent: Tue, 17 Oct 2023 09:22:18 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: Birralee road northern package
Attachments: 1470 Birralee Rd title boundary, 1470 Birralee Rd , 1470 Birralee Rd

Dear SIR, I am the owner of property number 1470 Birralee Road and the bends on the road will have to be removed, I have been dealing with Pitt and Sherry with the design and have seen some early plans and I am not happy with what they are trying to do. I had my surveyors check the boundary position to the road before I done plans and all the old fencing was still in position I have constructed new fencing around my property including auto gates all this done with state growth approval and building /planning approval they have created a new boundary for the property which is wrong (see attached email from Cohen & Associates . Pitt and sherry plans that I have received so far. I just want to place this on record and hope that when the design is complete I will be happy with the design for my part of the road.
WAYNE DOBSON [REDACTED]



Virus-free. www.avg.com

12.1.6 Representation 5 - W Dobson

From: [REDACTED]
Sent: Mon, 16 Oct 2023 17:45:14 +1100
To: [REDACTED]
Subject: 1470 Birraleee Rd title boundary
Attachments: 8240 1470 BIRRALEE RD 16-10-2023.pdf, 8240 DOBSON 1470 BIRRALEE ROAD PLAN 11-10-2021.pdf, 8240 DOBSON 1470 BIRRALEE ROAD 11-10-2021.dwg

Wayne

I looked at your road boundary issue, and the primary reason for the differences is the last time your Birraleee Road boundary was officially surveyed was 1893. This means the government boundary data that Pitt & Sherry have used for their preliminary work is not very accurate, and this portion is shown with an accuracy of 30m, the worst category. These road works projects always start with the government data, and as they progress, the areas that need more attention to upgrade the accuracy are worked on.

Because of my work for you in October 2021, my road boundary data is accurate to 2m. I've prepared and attached a plan to show you the differences between my boundary and the government data, and the two lines are approximately 5.5m apart.

I have also attached the files from the 2021 survey. It's up to you, but if you send this email to Pitt & Sherry with the data, they'll hopefully use my boundary instead of the current government data, which will help you both.

Please let me know if you have any questions.

Regards,
Sebastian Verbeeten
Registered Land Surveyor



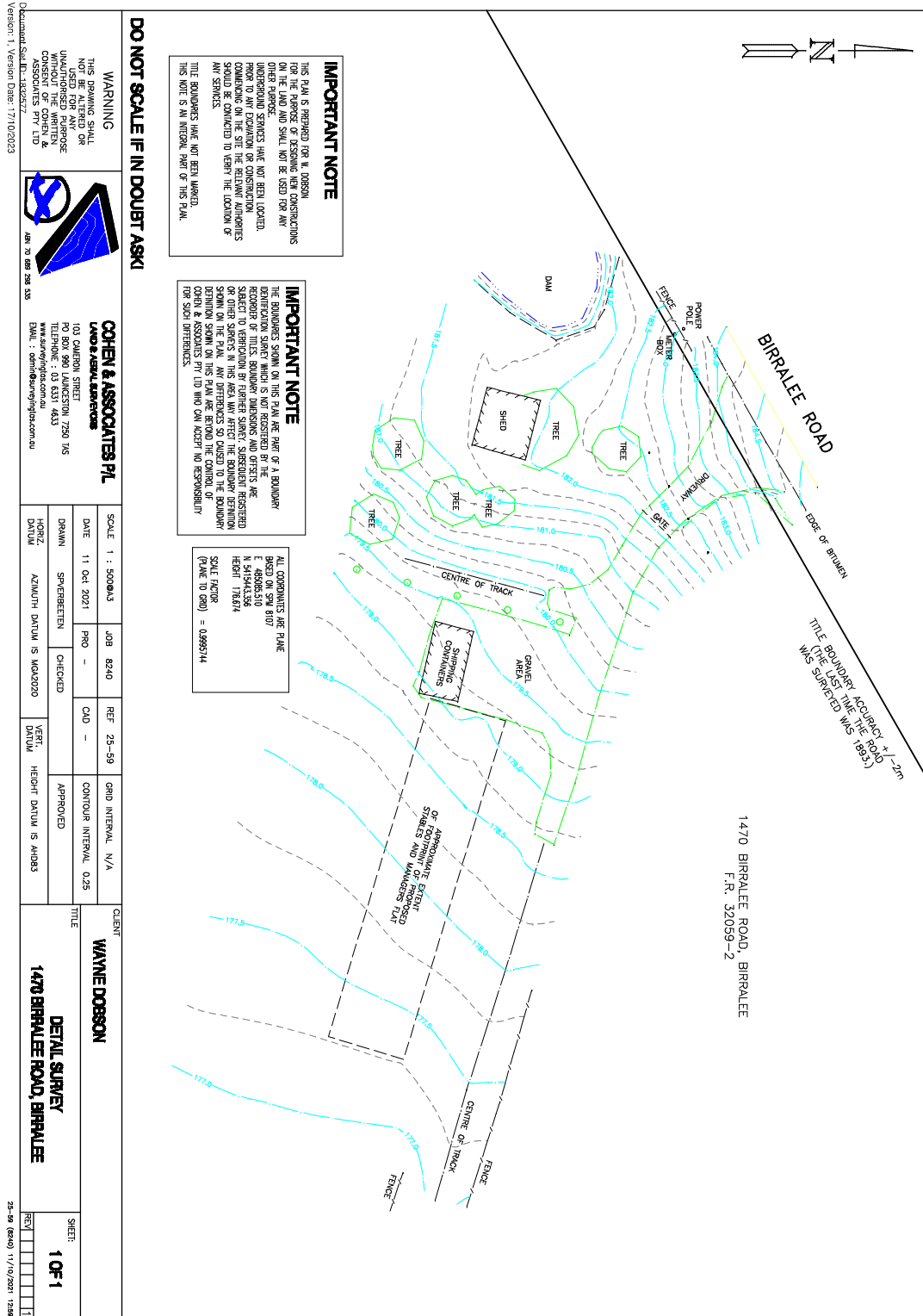
COHEN & Associates
Land & Aerial Surveyors



12.1.6 Representation 5 - W Dobson



12.1.6 Representation 5 - W Dobson



IMPORTANT NOTE

THIS PLAN IS PREPARED FOR W. DOBSON FOR THE PURPOSES OF OBTAINING PERMITS FOR THE PURPOSES OF CONSTRUCTION OF THE PROPOSED STABLES AND WANDERS FLAT. UNDERGROUND SERVICES HAVE NOT BEEN LOCATED PRIOR TO ANY EXCAVATION OR CONSTRUCTION WORKING ON THE SITE. THE RETAINING ADJACENT ROAD IS OWNED BY THE LOCAL GOVERNMENT AND IS SUBJECT TO THE CONTROL OF ANY SERVICES.

TITLE BOUNDARIES HAVE NOT BEEN MARKED. THIS NOTE IS AN INTEGRAL PART OF THIS PLAN.

IMPORTANT NOTE

THE BOUNDARIES SHOWN ON THIS PLAN ARE PART OF A BOUNDARY IDENTIFICATION SURVEY WHICH IS NOT REGISTERED BY THE LANDS ACT. THE BOUNDARIES SHOWN ARE SUBJECT TO ALTERATION BY BOUNDARY SURVEYS, REGISTERED OR OTHER SURVEYS IN THIS AREA. ANY DIFFERENCES SO CAUSED TO THE BOUNDARY IDENTIFICATION SHOWN ON THIS PLAN ARE BEYOND THE CONTROL OF COHEN & ASSOCIATES PTY LTD WHO CAN ACCEPT NO RESPONSIBILITY FOR SUCH DIFFERENCES.

ALL COORDINATES ARE PLUME
BASED ON GDA 94
E 483063.10
N 5415443.86
HEIGHT 176.674
SCALE FACTOR
(PLUME TO GND) = 0.999714

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WARNING

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COHEN & ASSOCIATES P/L
LAND SURVEY ENGINEERS

101 CAUTION STREET
PO BOX 890 LAKEVIEW 7290 WA
TELEPHONE : 08 9337 4633
WWW.ASWENGINEERS.COM.AU
EMAIL : admin@swengineers.com.au

| | | | |
|--|------------------------------------|-----------|-----------------------|
| SCALE 1 : 500@A3 | JOB 8240 | REF 25-59 | GRID INTERVAL N/A |
| DATE 11 Oct 2021 | PRO - | CAD - | CONTOUR INTERVAL 0.25 |
| DRAWN SPREIBELTEN | CHECKED | APPROVED | |
| HORIZ. DATUM ASHLEIGH DATUM IS MAG2020 | VERTI. DATUM HEIGHT DATUM IS AHD83 | | |

CLIENT: **WAYNE DOBSON**

TITLE: **1470 BIRRALEE ROAD, BIRRALEE**

SHEET: **1 OF 1**

DocuSign Software
Version 1, Version Date: 17/10/2023

23-09 (Rev 0) 17/10/2021 12:00

12.1.6 Representation 5 - W Dobson

Unable to render file 8240 DOBSON 1470 BIRRALEE ROAD 11-10-2021.dwg

Document Set ID: 1832577
Version: 1, Version Date: 17/10/2023

12.1.6 Representation 5 - W Dobson

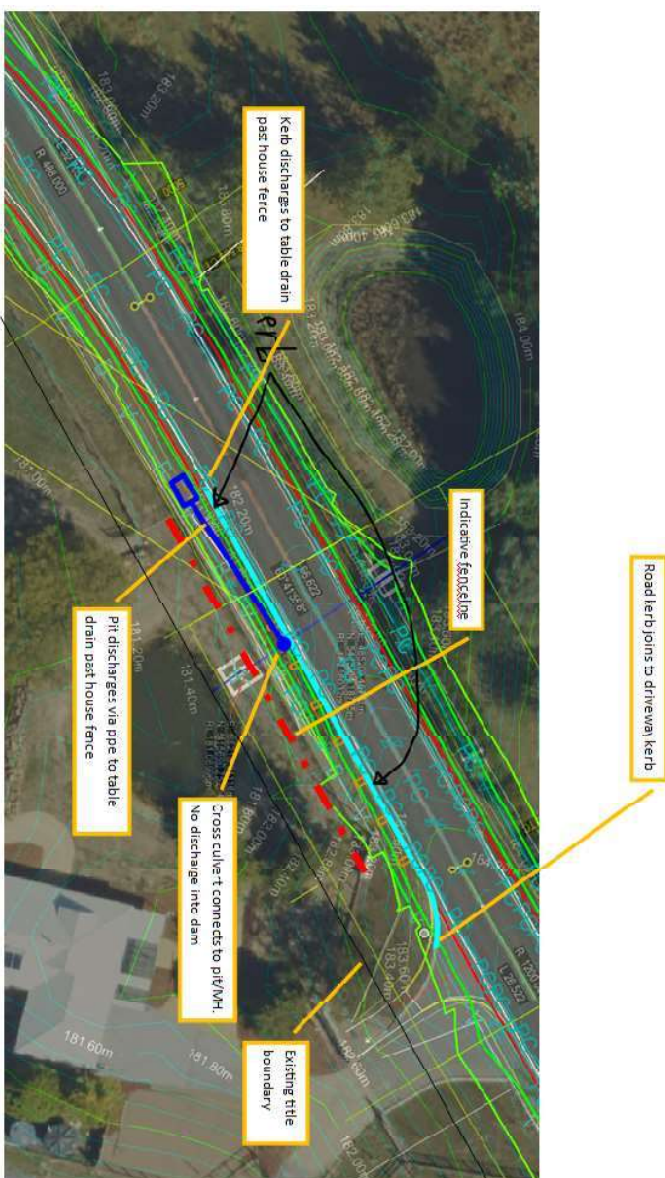
From: [REDACTED]
Sent: Fri, 13 Oct 2023 16:10:52 +1100
To: [REDACTED]
Cc: "Kristie Giblin"
[REDACTED]
[REDACTED]
Subject: 1470 Birralee Rd

Hi Wayne,

The design is still progressing and modelling won't be finished until next week, and then it needs to be incorporated into the drawing set.

We have come up with a solution to extend the kerb from your driveway along the road past the dam as shown below. This sketch is indicative based on the current level of modelling.

12.1.6 Representation 5 - W Dobson



Kindest regards,

pitt&sherry

Lesley Turner

Stakeholder Engagement Consultant



12.1.6 Representation 5 - W Dobson

[pitkberry.com.au](https://www.pitkberry.com.au)

 pitkberry acknowledges the traditional Custodians of the many Countries throughout Australia and their connections to land, sea and community. We acknowledge the contributions and sophistication of Aboriginal and/or Torres Strait Islander knowledge.

12.1.7 Representation 6 - D Swan

Denise Swan

Re: PA\24\0067

Dear Sir/Madam,

In relation to the above planning application and its applicability to the property at 1210 Birralea Road, I wish to raise the following:

1. The crucial issue of road safety at the gateway to 1210 Birralea Road which serves as the entrance to the house and farm infrastructure for the property. The fact that the shearing shed and stockyards are located in this area means that there is constant usage of the gateway by heavy vehicles often with attached semi trailers thereby increasing the likelihood of accident at the entry point. This, coupled with the fact that sightlines to the north of the gate appear shorter than requisite, leads to a position where I am of the view that it is merely a matter of time before a major accident will occur. It is a matter of record that there have been innumerable incidents in the immediate vicinity in recent years. We note, particularly, that in the latter part of the day unladen timber trucks are travelling at very high speeds around this corner which adds to our concern. The road is subject to a 100km/hr speed limit but by observation, there are many vehicles which are exceeding such limit. It has been stated that the road will be moved one road width to the west which we are hopeful will result in an improved safety of entrance and exit. Notwithstanding the curve and sightlines in the road are likely to remain the same. As you will understand we continue to have significant reservations regarding this issue.
2. We have additional concerns as to the increased noise level that will be attached to the road according to the Department's projected future usage. Much of this noise occurs at nighttime when all relevant noise standards demand lower noise levels. It is our view that in the interests of health and wellbeing that provision should be made for room to create a soundbarrier directly on the road boundary.
3. It is my understanding that the existing gateway to the watertank that supplies both household and stock water is to be moved. The proposed position of the new entry point occurs some considerable distance to the north of the present gateway and water infrastructure at a point which will considerably increase the risk of accident given the nature of the road and prevailing sightlines. The existing gateway is clearly critical given the need to access the pumping equipment for the purpose of maintenance and the further and more worrying point that in summertime there is a constant need to directly access the tank through this gate for water tankers. The agricultural land over which a new internal road may be built to access the tank from the proposed new gateway is wet, will be extremely costly and of course, denies the existing use of the land which is agricultural. The clear problem here is that quite apart from providing stock and household water, in times of bushfire we require immediate access to the only safe point on the road that will reach the tank. To compromise this element of our agricultural business and household delivers not only injustice but in all likelihood may lead to the end of the farming enterprise. We believe this is clear contravention of the planning scheme and its existing zoning and is capable of delivering a gross injustice.

This property has been used continuously since its formation for the purpose of farming – that pursuit having preceded the formation of the planning scheme and the designation of the road as a State road by many years. In order to make the land use compatible with the elevated change in the road designation it is critical in our view that the safety and noise issues should be primary to allow both residential and agricultural use in accordance with its zoning.

With thanks for your attention,

Denise Swan

Document Set ID: 1832592
Version: 1, Version Date: 17/10/2023

12.1.8 Representation 7 - M Swan

From: [REDACTED]
Sent: Tue, 17 Oct 2023 10:07:14 +1100
To: "Planning @ Meander Valley Council" <planning@mvc.tas.gov.au>
Subject: PA\24\0067
Attachments: Planning application - Birralee Road stage 2.odt, Denise Swan -Birralee Rd representation.odt

Good morning,
Please find attached two separate representations in relation to the above planning application.
These representations are on behalf of:

- Denise Swan with respect to 1210 Birralee Road; and
- Madeleine Swan with respect to 1284 Selbourne Road and 1210 Birralee Road.

Regards,
Madeleine

12.1.8 Representation 7 - M Swan

Re: PA12410067

Dear Sir/Madam,

In regards to the above planning application and its impact on the adjacent properties at 1210 Birralelee Road and 1284 Selbourne Road. I wish to raise a number of concerns about the plans proposed by Pitt and Sherry and their impact on the undertaking of an agricultural business in land zoned for agriculture under the Meander Valley Planning Scheme.

The primary concerns in relation to the impact on agricultural activities are:

1. Refusal to consider an appropriate stock underpass to connect agricultural land on two sides of Birralelee Road.
In regards to Standard 21.1.2 "To protect land for the use or development of agricultural use by minimising:
 1. conflict with or interference from non-agricultural uses;
 2. non-agricultural use or development that precludes the return of the land to agricultural use; and
 3. use of land for non-agricultural use in irrigation districts."

The proposed project as facilitated by the planning application is known to be forecast to double truck and other vehicle traffic on the road and the failure to provide an appropriate stock underpass will clearly increase the conflict between traffic and stock movements, in breach of Use Standard 21.1.2.

2. Far more concerningly, the allowance of the planning approval in relation to the land on title 103182/1 will directly allow for the removal of road access to the title, and, most particularly, remove direct road access to water infrastructure for house and stock on the whole property. The plans as proposed under the planning application will see the only truck access for the properties water infrastructure which is used to supplement water supply in times of either drought, bushfire or failure of water infrastructure, entirely removed. The plans outlined propose moving the road access for this title onto another title in another paddock, which would require any water trucks seeking to access the main holding tank to cross paddocks which are, for the vast majority of the year, too wet for a truck to traverse. In essence, the planning application is seeking to remove direct access to water infrastructure and severely reducing the reliability of supply for both stock and house. This is directly facilitated by the plans in relation to the land being considered by the planning application, being more than 3m outside the road reserve. As a result, while the planning application holds that Standard 27.3.3 does not apply, it is clear that this is a misinterpretation of the planning scheme and the acquisition of the "small slivers of land" as outlined will have a direct and detrimental impact on agricultural activities in the area.
3. We have, for some time now, been seeking to achieve a mutually agreeable outcome in relation to the imposition of a Category 2 Freight Route on the residence at 1210 Birralelee Road. As previously outlined when this residence was built and expanded with the planning approval of the local Council, the road was classified as a rural road. In the interests of both safety for road users, and for stock trucks and cars access the residence, we have sought for the road to be moved 50m from the residence into the hill (a standard as set by the Planning Scheme) thereby straightening the road and improving safety for all. While the plans as proposed do move the road slightly away from the house, the outcome is not yet satisfactory. While I understand that this cannot be considered under the current planning application, it is worth noting for the Council, that this issue will be pursued further through legal action. In the interests of avoiding delay for the very much needed road upgrade, we would request the Council make some representations to the Department of State Growth seeking further investment to ensure properties on the road are treated fairly and in accordance with their legal rights.

In general, while the conduct of both the Department of State Growth and in particular contractors Pitt and Sherry has improved vastly in recent months, it is still clear that Pitt and Sherry are operating within a set budget and timeline and are unable or unwilling to seek to address outstanding concerns regarding property amenity and agricultural operations outside of what their set budget allows. Indeed, the response to Pitt and Sherry to a number of requests including consideration of a soundwall or a cost-sharing arrangement to move the road the appropriate distance from the residence at 1210 Birralelee Road has been dismissive and, as further investigations have shown, outright misleading. It is clear that the primary aim of the contractor is to meet both budget and timelines, with the aim of ensuring the best outcomes for road users and residents

12.1.8 Representation 7 - M Swan

coming a distant second.

There are a number of other concerns not solely relating to the property at 1210 Birralelee Road, but which have clear implications for the proposed project as a whole as being facilitated by this planning application. In particular in relation to noise, safety and amenity in a rural living zone with the doubling of freight traffic as facilitated by this planning application, in particular Zone Purpose 11.1.3, and Rural Zone purpose 20.1.3. It is important to note that while the planning application is highly reliant on the notion that it only applies to "small slivers of land", this would appear to be misleading as it is facilitating a far more significant project that, given the lack of road upgrades for the past 30 years, will in fact upgrade the road from a rural road to a Freight Route. While the road has been used as a Freight Route for many years, the road has never been fit for purpose. The road upgrade as proposed and facilitated by the planning application will actually constitute a "change in use" for the road and residents, and a diligent approach to planning would consider the impact of that change in use rather than being artificially restricted to the "small slivers of land" as outlined by the planning application.

While I accept that some of these considerations are considered to be outside the extremely limited scope of the Council and planners when considering planning applications, it is my assertion that on point 2 alone where the land being considered by the permit application will, by virtue of receiving planning approval, directly result in the loss of access to stock and household water infrastructure breaching a number of standards under the planning scheme as well as a number of other legal rights, the planning application with respect to 1210 Birralelee Road must be rejected.

With thanks for your consideration,

Madeleine Swan

12.1.9 Applicant's Response To The Representations

pitt&sherry

Specialist Knowledge.
Practical Solutions.

23 October 2023

Leanne Rabjohns
Town Planner
Meander Valley Council
planning@mvc.tas.gov.au

Dear Leanne

Response to Representations for Planning Permit Application PA\24\0067

With regard to planning permit application PA\24\0067, the Department of State Growth (State Growth) has considered the representations that were received by Meander Valley Council (the planning authority) during the advertising period. We hope that the planning authority can consider State Growth's responses to the representations, as presented in the table below. We note that some of the representations raise similar matters, so have summarised the matters in themes.

Under the Tasmanian Planning Scheme – Meander Valley (the planning scheme), most of the Birralee Road upgrades are exempt from a planning permit. The planning permit application is seeking approval for the small narrow areas road works, coloured magenta on the submitted plans.

The applicable exemptions for the majority of the road upgrades are referred to in the table below, and include the following clauses:

Clause 4.2.4 road works: Maintenance and repair of roads and upgrading by or on behalf of the road authority which may extend up to 3m outside the road reserve including:

- (a) widening or narrowing of existing carriageways;
- (b) making, placing or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping, unless the Local Historic Heritage Code applies and requires a permit for the use or development.

Clause 4.2.5 vehicle crossings, junctions and level crossings: If:

- (a) development of a vehicle crossing, junction or level crossing:
 - a. by the road or rail authority; or
 - b. in accordance with the written consent of the relevant road or rail authority; or
- (b) use of a vehicle crossing, junction or level crossing by a road or railway authority.

Clause 4.6.3 (c) fences within 4.5m of frontage: Fences (including free-standing walls) within 4.5m of a frontage, if located in in the Utilities Zone and not adjoining a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone and if not more than a height of:

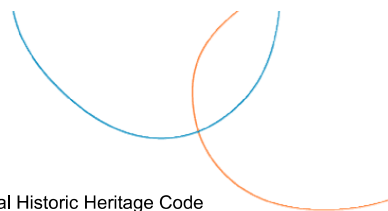
- i. 1.8m above existing ground level if adjoining public land; or

pitt&sherry | ref: T.P.20.2000-CIV-LET-DA-Reps-Response-Rev00

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- ii. 2.1m above existing ground level if not adjoining public land, unless the Local Historic Heritage Code applies and requires a permit for the use or development.

The planning report describes the application of these exemptions in further detail and spatially on supporting plans.

As some of the matters raised by representors are not relevant to the permit application itself, we have included our responses for these matters under the heading 'Project Advice' in the table. This advice is for the matters relating to the exempt road upgrades, which do not require a permit.

| No. | Matter Raised in Representations | Response / Advice |
|-----|--|--|
| 1 | <p>The proposed road upgrades constitute a "change in use" for the road and residents, and a diligent approach to planning would consider the impact of that change in use rather than being artificially restricted to the "small slivers of land" as outlined by the planning application.</p> | <p><u>Response for Planning Permit Application</u></p> <p>Under the planning scheme, the road is categorised as the Utilities use. The planning permit application does not propose to change the use of the road. Most of the road works for this project are exempt from a planning permit under Clauses 4.2.4, and 4.2.5, which must be considered before the planning scheme's zone and code provisions can be considered.</p> <p>Where proposed road works meet the requirements of these clauses, the exemptions apply without restriction and no other planning provisions apply to the exempt areas. This means a permit is not required for the exempt areas and any impacts arising from them cannot be considered by a planning authority. The Tasmanian Civil & Administrative Tribunal (TASCAT) took this approach in TASCAT decision <i>R Lewis and Anor v Clarence City Council and Anor [2022] TASCAT 8</i> (2 February 2022), which relates to a planning permit application for similar road upgrades.</p> <p>It is worth noting that the submitted planning permit application shows both permit-required areas and exempt areas. This is in the same format as the abovementioned TASCAT decision, and other similar planning applications prepared by State Growth, which have been approved by the Meander Valley Council and numerous other planning authorities around Tasmania.</p> <p><u>Project Advice</u></p> <p>Under the State Road Hierarchy, Birralee Road is categorised as a Category 2 road. The road upgrade project will not result in a change of the category of this road, nor will it increase the current capacity of the road.</p> <p>The objective of the road upgrades is to improve safety by road widening and increased sealing width.</p> |
| 2 | <p>The planning permit application will result in the doubling of truck and other vehicle traffic on the road and the failure to provide an appropriate stock underpass will increase the conflict between traffic and stock movements. Therefore, the proposed road works on 1210 Birralee Road are not consistent with the planning scheme's Clause 21.1.3, which is the Agricultural Zone's purpose: To provide for use or development that supports the use of the land for agricultural use.</p> <p>1210 Birralee Road is</p> | <p><u>Response for Planning Permit Application</u></p> <p>Most of the road works on this property are exempt from a planning permit under Clause 4.2.4. The only portions of works that require approval are more than 3m from the road reserve and shaded magenta on Sheets 2 and 3 of the proposed plans.</p> <p>These road upgrades are comprised of small, narrow areas at the edge of the road that involve the construction of roadside shoulders and drains and the removal of small areas of vegetation. These works are minor and are considered to be consistent with the Agriculture Zone's Clause 21.1.3 because they will not significantly constrain agricultural uses on the adjoining land, while enabling the road to maintain its important role of supporting agriculture in the area. Further, the submitted application provides valid reasons to demonstrate that the proposed works comply with the applicable requirements of Clause 21.3.1 Discretionary uses, which means that the road works can reasonably be considered to meet this clause's objectives to support agricultural use while minimising the conversion of land to non-agricultural use.</p> <p>There is no requirement in the planning scheme to provide stock underpasses. Therefore, this matter is not relevant to the planning permit application and cannot be considered by the planning authority.</p> <p><u>Project Advice</u></p> <p>The project is not removing any existing stock underpasses. Therefore, new</p> |

12.1.9 Applicant's Response To The Representations

| | | |
|---|---|--|
| | <p>comprised of these titles:</p> <ul style="list-style-type: none"> • CT 230999/1 • CT 103182/1 • CT 109124/1 | <p>stock underpasses are not required for the road upgrade project. Existing access for agriculture will also be maintained along the length of road upgrades.</p> |
| 3 | <p>The planning application is incorrect because it states that Performance Criteria 3 of Clause 21.3.1 (discretionary uses) is not applicable.</p> | <p><u>Response for Planning Permit Application</u></p> <p>The planning permit application is correct, P3 of Clause 21.3.1 does not apply because the land on which the proposed road works are located is categorised as Class 4 agricultural land, which is not prime agricultural land.</p> <p>Under the planning scheme's Table 3.1 Planning Terms and Definitions, prime agricultural land means agricultural land classified as class 1, 2 or 3 land using the class definitions and methodology from the <i>Land Capability Handbook, Guidelines for Classification of Agricultural Land in Tasmania, 2nd edition, 1999</i>.</p> |
| 4 | <p>The road reserve shown on the proposed plans may be incorrect. A survey carried out by the landowner has an accuracy of plus or minus 2 metres while the survey carried out by the applicant is plus or minus 30m.</p> | <p><u>Response for Planning Permit Application</u></p> <p>The proposed road works, which require a planning permit, are shown on scaled maps, in the industry standard presentation style. We can confirm that the location of the road reserve and the design of the upgrades are based on a survey prepared by a qualified surveyor who undertook all survey works along the length of Birralee Road according to the Department's survey requirements. The survey includes consideration of property boundaries, existing infrastructure, waterways, and other relevant features.</p> |
| 5 | <p>The proposed plans show that the vehicle crossing on CT 103182/1 will be relocated on to another title in another paddock, which will remove direct road access to water infrastructure for house and stock on the whole property.</p> | <p><u>Response for Planning Permit Application</u></p> <p>The proposed road works that require a planning permit are on the western side of the road and will not result in the relocation of a vehicle crossing on CT 103182/1. Therefore, this matter is not relevant to the planning permit application. The proposed road works in this location will be battered with a shallower (more stable profile). After which, it will be vegetated and maintained to ensure stability and prevent erosion.</p> <p><u>Project Advice</u></p> <p>State Growth will close an existing vehicle crossing on the eastern side of the road and replace it with a new vehicle crossing on the same property, further to the north.</p> <p>The development and use associated with the closure of this vehicle crossing and the creation of the new vehicle crossing are exempt from a planning permit under Clause 4.2.5.</p> |
| 6 | <p>The road should be relocated 50m from the house on 1210 Birralee Road. The representor acknowledges that this matter is not relevant to the planning permit application.</p> | <p><u>Response for Planning Permit Application</u></p> <p>As there is no applicable planning provision that requires the road to be relocated 50m from the house, this matter is not relevant to the planning permit application.</p> |
| 7 | <p>The proposed road works on 1517 Birralee Road may result in landslip.</p> | <p><u>Response for Planning Permit Application</u></p> <p>The enclosed amended plan is provided to replace Sheet 5 of the proposed plans. The proposed road works on 1517 that required a planning permit have been redesigned, and now minimise works on this property. As shown on the amended plan, a smaller area of works is now proposed. A portion of these works are partially located in the Low Landslip Hazard Band but are less than 1m depth and involve less than 1,000m³ in excavations. The Landslip Hazard Code does not apply because the proposed:</p> <ul style="list-style-type: none"> • Utilities use is exempt under Clause C15.4.1 (a) and • Development is exempt under Clause C15.4.1 (e). |

12.1.9 Applicant's Response To The Representations

| | | |
|---|---|--|
| | | <p>The works are also located in the Rural Living Zone, which does not contain any provisions that require the assessment of landslip impacts.</p> <p>Given the abovementioned information, the landslip matter raised in point 7 is not relevant to the permit application.</p> <p><u>Project Advice</u></p> <p>Once the road works are complete, the batters will be revegetated and maintained to stabilise the land and reduce the risk of erosion.</p> |
| 8 | The proposed road works will adversely impact 1517 Birralea Road in terms of vibrations from the road and constrained vehicle crossing. | <p><u>Response for Planning Permit Application</u></p> <p>The proposed road works that require a planning permit will not result in the relocation of the existing vehicle crossing on 1517 Birralea Road. Only minor road works are proposed to this vehicle crossing and are exempt from a planning permit under Clause 4.2.5. Therefore, this matter is not relevant to the planning permit application.</p> <p><u>Project Advice</u></p> <p>The road is currently categorised as a Category 2 road. The road upgrade project will not change this category or increase the current road capacity or existing levels of vibrations.</p> <p>The exempt works to the existing vehicle crossing are very minor and are needed to accommodate the road widening, which will improve the safety of the road. The works will result in it being reinstated to municipal standards (if necessary) and sealed to the property boundary and will have no significant impacts on the functionality of the vehicle crossing.</p> |
| 9 | Request to ensure Manions bus stops are not affected by the proposed road works. | <p><u>Planning Permit Application Response</u></p> <p>Under the applicable provisions of the planning scheme, there is no requirement for consideration for frequent stopping vehicles such as school buses. Therefore, the matter raised in point 9 is not relevant to the permit application and cannot be considered when determining the outcome of the application.</p> <p><u>Project Advice</u></p> <p>While the matter raised in point 9 is not relevant to the planning permit application, the current project provides widened lanes and sealed shoulders which will provide increased safety for vehicles that stop on the side of the road at safe locations to do so.</p> <p>Accommodating transitory locations for on-road stopping is not within the project scope or budget. State Growth's policy is not to provide established pull-off areas for rural bus stops. However, State Growth intends to engage with Manions as the project progresses.</p> |

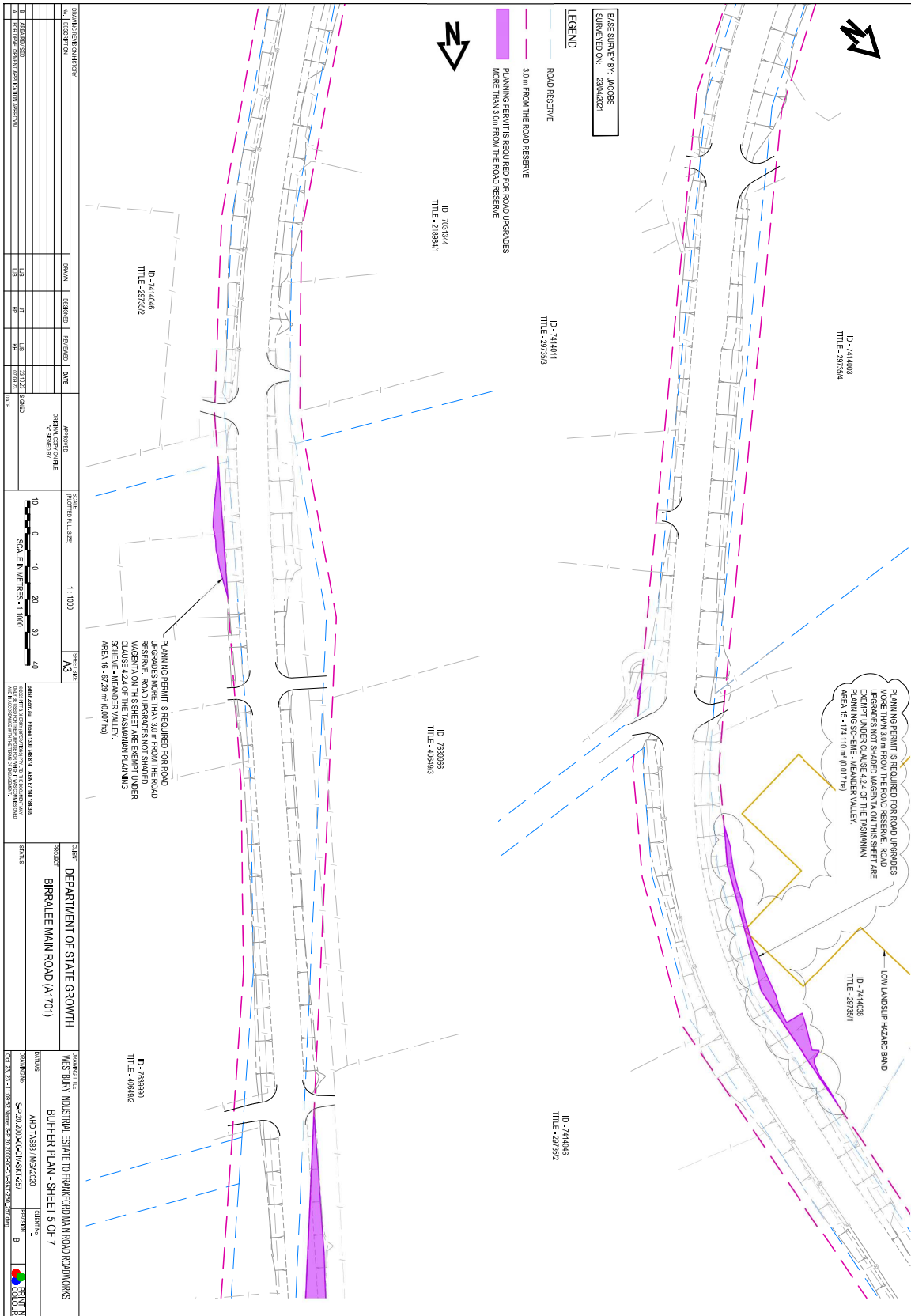
Yours sincerely



Doug Fotheringham
Principal Planner

Enclosed: Amended plan to replace Sheet 5 of the proposed plans

12.1.9 Applicant's Response To The Representations



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Planner's Advice: Applicable Standards

Background

The proposal is for Stage 2 of a program of road upgrades to Birralee Road in Birralee and Westbury, being undertaken by the Department of State Growth. The proposed road upgrades that require a planning permit will predominately occur between 744 Birralee Road to the south and 1751 Birralee Road to the north for a distance of approximately 10.5km (refer to Figure 1).



Figure 1 – Aerial image showing the extent of proposed road upgrades within the Meander Valley Council section of Birralee Road.

Most of the required roadworks are exempt from requiring a planning permit, where they fall in or within 3m of the existing road reserve or at a vehicle crossing or junction. The applicable exemptions are:

- **Clause 4.2.4 –**
Road Works: Maintenance and repair of roads and upgrading by or on behalf of the road authority which may extend up to 3m outside the road reserve including:
 - (a) widening or narrowing of existing carriageways;

12.1.10 Planner's Advice - Applicable Standards

- (b) making, placing or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping, unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development; or*
- (c) repair of bridges, or replacement of bridges of similar size in the same or adjacent location.*
- **Clause 4.2.5 –**
Vehicle Crossings, Junctions and Level Crossings If:
 - (a) development of a vehicle crossing, junction or level crossing:*
 - i. by the road or rail authority; or*
 - ii. in accordance with the written consent of the relevant road or rail authority; or*
 - iii. use of a vehicle crossing, junction or level crossing by a road or railway authority.*
- **Clause 4.6.3 –**
 - (c) fences within 4.5m of frontage: Fences (including free-standing walls) within 4.5m of a frontage, if located in in the Utilities Zone and not adjoining a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone and if not more than a height of:*
 - i. 1.8m above existing ground level if adjoining public land; or*
 - ii. 2.1m above existing ground level if not adjoining public land, unless the Local Historic Heritage Code applies and requires a permit for the use or development.*

The areas of works that are subject to the planning application are several small segments where works will be required further than 3m from the road reserve, including for the construction of roadside shoulders and drains and the removal of some areas of vegetation.

The segments of the road works that require a permit are located at various points along the road upgrade section and fall into the Rural Living Zone, Rural Zone and Agriculture Zone.

12.1.10 Planner's Advice - Applicable Standards

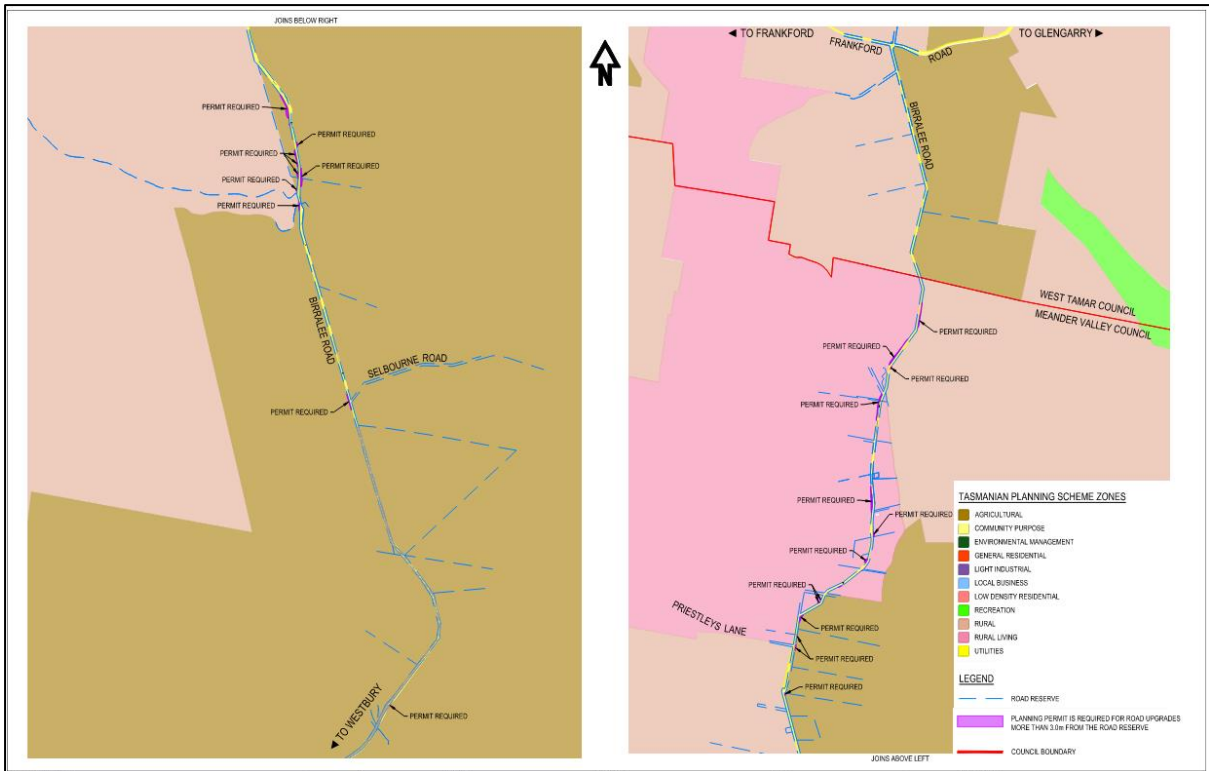


Figure 2: Zoning of subject titles and adjoining land (image sourced from application documents).

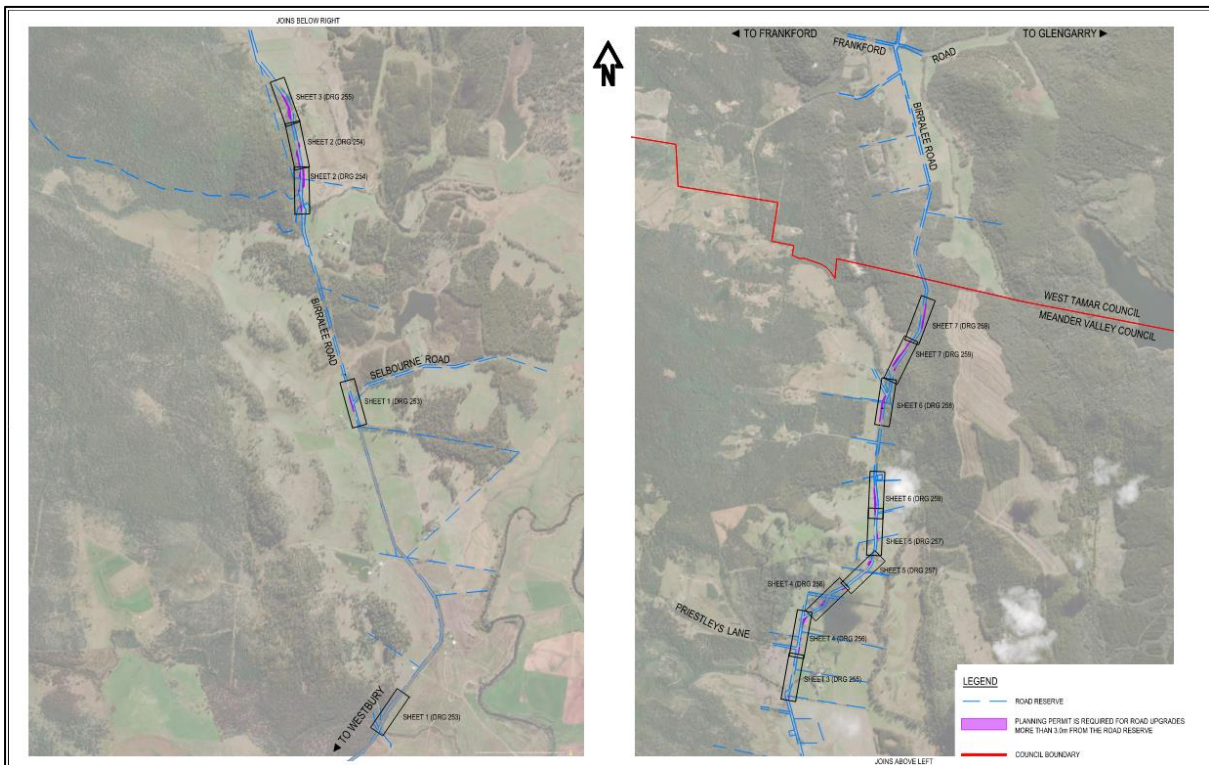


Figure 3: Aerial photo of subject titles and adjoining land (image sourced from application documents).

Summary of Planner's Advice

This application was assessed against General Provisions Standards, as well as the Applicable Standards for the Zones and any relevant Codes.

All Standards applied in this assessment are taken from the Planning Scheme.

This application is assessed as compliant with the relevant Acceptable Solutions, except where "*Relies on Performance Criteria*" is indicated (see tables below).

Council has discretion to approve or refuse the application based on its assessment of the Performance Criteria, where they apply. Before exercising discretion, Council must consider the relevant Performance Criteria, as set out in the Planning Scheme.

For a more detailed discussion of any aspects of this application reliant on Performance Criteria, see the attachment titled "Planner's Advice - Performance Criteria".

12.1.10 Planner's Advice - Applicable Standards

| Rural Living Zone | | |
|------------------------|---|-------------------------|
| <i>Scheme Standard</i> | Planner's Assessment | Assessed Outcome |
| <i>11.3.1</i> | <i>Discretionary uses</i> | |
| A1 | The proposed areas of roadworks that will require a permit will not accommodate vehicle movements or generate any emissions that may cause a loss of amenity to adjacent sensitive uses associated with the physical use of the road. That is, the proposed works that require planning approval involve construction of road shoulders, stormwater drainage and some vegetation removal. Accordingly, hours of operation associated with the road works will be negligible in this regard. | Complies |
| A2 | The proposed road upgrades do not include external lighting. | Not Applicable |
| A3 | The proposed areas of roadworks that will require a permit will not generate ongoing commercial vehicle movements. | Not Applicable |
| <i>11.3.2</i> | <i>Visitor accommodation</i> | |
| A1-A2 | The proposal does not involve visitor accommodation use. | Not Applicable |
| <i>11.4.1</i> | <i>Site Coverage</i> | |
| A1 | No buildings are proposed. | Not Applicable |
| <i>11.4.2</i> | <i>Building height, setback and siting</i> | |
| A1-A4 | No buildings are proposed. | Not Applicable |

12.1.10 Planner's Advice - Applicable Standards

| Rural Living Zone | | |
|------------------------|------------------------------|------------------|
| <i>Scheme Standard</i> | Planner's Assessment | Assessed Outcome |
| <i>11.5.1</i> | <i>Lot Design</i> | |
| A1-A3 | Subdivision is not proposed. | Not Applicable |
| <i>11.5.2</i> | <i>Roads</i> | |
| A1 | Subdivision is not proposed. | Not Applicable |
| <i>11.5.3</i> | <i>Services</i> | |
| A1-A2 | Subdivision is not proposed. | Not Applicable |

12.1.10 Planner's Advice - Applicable Standards

| Rural Zone | | |
|------------------------|--|------------------|
| <i>Scheme Standard</i> | Planner's Assessment | Assessed Outcome |
| <i>20.3.1</i> | <i>Discretionary Uses</i> | |
| A1-A4 | Utilities is a Permitted use in the Rural Zone pursuant to Table 20.2. | Not Applicable |
| <i>20.4.1</i> | <i>Building Height</i> | |
| A1 | No buildings are proposed. | Not Applicable |
| <i>20.4.2</i> | <i>Setbacks</i> | |
| A1-A2 | No buildings are proposed. | Not Applicable |
| <i>20.4.3</i> | <i>Access for new dwellings</i> | |
| A1 | No dwellings are proposed. | Not Applicable |
| <i>20.5.1</i> | <i>Lot Design</i> | |
| A1-A2 | The proposal does not include subdivision. | Not Applicable |

12.1.10 Planner's Advice - Applicable Standards

| Agriculture Zone | | |
|------------------------|--|---------------------------------------|
| <i>Scheme Standard</i> | Planner's Assessment | Assessed Outcome |
| <i>21.3.1</i> | <i>Discretionary Uses</i> | |
| A1 | There is no Acceptable Solution. | Relies on Performance Criteria |
| A2 | There is no Acceptable Solution. | Relies on Performance Criteria |
| A3 | No works are proposed on prime land (Class 1-3). All works are on Class 4 land. | Not Applicable |
| A4 | The proposal does not involve Residential use. | Not Applicable |
| <hr/> | | |
| <i>21.4.1</i> | <i>Building Height</i> | |
| A1 | No buildings are proposed. | Not Applicable |
| <hr/> | | |
| <i>21.4.2</i> | <i>Setbacks</i> | |
| A1-A2 | No buildings are proposed. | Not Applicable |
| <hr/> | | |
| <i>21.4.3</i> | <i>Access for new dwellings</i> | |
| A1-A2 | No dwellings are proposed. | Not Applicable |
| <hr/> | | |
| <i>21.5.1</i> | <i>Lot Design</i> | |
| A1-A2 | The proposal does not include subdivision. | Not Applicable |

12.1.10 Planner's Advice - Applicable Standards

C2.0 Parking and Sustainable Transport Code

Scheme Standard

Planner's Assessment

Assessed Outcome

C2.2

Application of this Code

The code applies to all use and development.

Code not applicable

However, the proposal does not impact any of the assessment standards, so further assessment is not required.

7.0 Natural Assets Code

| <i>Scheme Standard</i> | Planner's Assessment | Assessed Outcome |
|------------------------|---|---------------------------------------|
| C7.6.1 | <i>Traffic generation at a vehicle crossing, level crossing or new junction</i> | |
| A1 | <p>Works including the construction of roadside shoulders and drains and the removal of small areas of vegetation are proposed within Waterway and Coastal Protection Areas.</p> <p>The proposal does not meet the Acceptable Solution.</p> | Relies on Performance Criteria |
| A2 | The proposed works are not within a Coastal Refugia Area. | Not Applicable |
| A3 | The proposal does not include any new stormwater drainage points. | Complies |
| A4 | The proposal does not include dredging or reclamation works. | Not Applicable |
| A5 | The proposal does not include coastal protection works or watercourse erosion or inundation protection works. | Not Applicable |
| C7.6.2 | <i>Clearance within a priority vegetation area</i> | |
| A1 | <p>Works including the construction of roadside shoulders and drains and the removal of small areas of vegetation is proposed within Priority Vegetation Areas.</p> <p>The Acceptable Solution is not satisfied.</p> | Relies on Performance Criteria |
| C7.7.1 | <i>Subdivision within a waterway and costal protection area or a future coastal refugia area</i> | |

12.1.10 Planner's Advice - Applicable Standards

| 7.0 Natural Assets Code | | |
|-------------------------|--|-------------------------|
| <i>Scheme Standard</i> | Planner's Assessment | Assessed Outcome |
| A1 | Subdivision is not proposed. | Not Applicable |
| C7.7.2 | <i>Subdivision with a priority vegetation area</i> | |
| A1 | Subdivision is not proposed. | Not Applicable |

21.0 Agriculture Zone

| | |
|---------------------------|--|
| Planning Scheme Provision | 21.3.1 Discretionary Uses |
| | <p>Objective</p> <p><i>That uses listed as Discretionary:</i></p> <ul style="list-style-type: none"> (a) support agricultural use; and (b) Protect land for agricultural use by minimising the conversion of land to non-agricultural use. |
| | <p>Performance Criteria P1</p> <p><i>A use listed as Discretionary, excluding Residential or Resource Development, must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to:</i></p> <ul style="list-style-type: none"> (a) access to a specific naturally occurring resource on the site or on land in the vicinity of the site; (b) access to infrastructure only available on the site or on land in the vicinity of the site; (c) access to a product or material related to an agricultural use; (d) service or support for an agricultural use on the site or on land in the vicinity of the site; (e) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and (f) provision of essential Emergency Services or Utilities. |

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P1, and is consistent with the objective.

Details of the planner's assessment against the provision are set out below.

| Scheme Provision | Planner's Assessment |
|--|---|
| <p>21.3.1 Performance Criteria P1</p> | <p>The proposal is for upgrades to an existing State Road that is part of the freight and general traffic network.</p> <p>The segments of the road upgrades that are subject to the planning application and fall within the Agriculture Zone include small portions of land required for roadside shoulders and drains that are more than 3m outside the existing road reserve. The total area of land involved in the Agriculture Zone will be less than 0.5ha.</p> |

12.1.11 Planner's Advice - Performance Criteria

| Scheme Provision | Planner's Assessment |
|------------------|---|
| | <p>The proposal relates to the provision of an essential service in the Utilities use class, as explicitly addressed in part (f) of the standard.</p> <p>Maintaining and improving the road network is essential for supporting agricultural uses in the area by enabling access for freight and traffic to service those uses.</p> <p>Overall, the proposal complies with the Performance Criteria P1.</p> |

| 21.3.1 Discretionary Uses | |
|---------------------------|---|
| Planning Scheme Provision | <p>Objective</p> <p><i>That uses listed as Discretionary:</i></p> <ul style="list-style-type: none"> <i>(a) support agricultural use; and</i> <i>(b) Protect land for agricultural use by minimising the conversion of land to non-agricultural use.</i> |
| | <p>Performance Criteria P2</p> <p><i>A use listed as Discretionary, excluding Residential, must minimise the conversion of agricultural land to non-agricultural use, having regard to:</i></p> <ul style="list-style-type: none"> <i>(a) the area of land being converted to non-agricultural use;</i> <i>(b) whether the use precludes the land from being returned to an agricultural use;</i> <i>(c) whether the use confines or restrains existing or potential agricultural use on the site or adjoining sites.</i> |

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P2, and is consistent with the objective.

Details of the planner's assessment against the provision are set out overleaf.

12.1.11 Planner's Advice - Performance Criteria

| Scheme Provision | Planner's Assessment |
|---|--|
| 21.3.1 Performance Criteria P2 | <p>The segments of the road upgrades that are subject to the planning application and fall within the Agriculture Zone are small, narrow portions of land located across several properties.</p> <p>The total area of land to be converted to non-agricultural use is minimal. In this regard, the area of works proposed within the Agriculture Zone is approximately 0.334ha. The total area of Agriculture Zone land encompassed within the applicable lots that the proposed road upgrades will be in, is 785.79ha. Accordingly, approximately 0.0425% of the total area of Agriculture zoned land based on cadastral area of each lot will be converted to a non-agricultural (Utilities) use.</p> <p>The road upgrades will preclude these areas from returning to agricultural use in the future as they will become part of the road corridor.</p> <p>The proposal will not further impact the use of the remaining land within each of the impacted lots and adjoining agricultural land for agricultural purposes.</p> <p>Overall, the proposal complies with the Performance Criteria P2.</p> |

C7.0 Natural Assets Code

| | |
|---------------------------|---|
| Planning Scheme Provision | C7.6.1 Development Standards for Buildings and Works |
| | <p>Objective</p> <p><i>That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.</i></p> |
| | <p>Performance Criteria P1</p> <p><i>Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</i></p> <ul style="list-style-type: none"> <i>(a) impacts caused by erosion, siltation, sedimentation and runoff;</i> <i>(b) impacts on riparian or littoral vegetation;</i> <i>(c) maintaining natural streambank and streambed condition, where it exists;</i> <i>(d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</i> <i>(e) the need to avoid significantly impeding natural flow and drainage;</i> <i>(f) the need to maintain fish passage, where known to exist;</i> <i>(g) the need to avoid land filling of wetlands;</i> <i>(h) the need to group new facilities with existing facilities, where reasonably practical;</i> <i>(i) minimising cut and fill;</i> <i>(j) building design that responds to the particular size, shape, contours or slope of the land;</i> <i>(k) minimising impacts on coastal processes, including sand movement and wave action;</i> <i>(l) minimising the need for future works for the protection of natural assets, infrastructure and property;</i> <i>(m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</i> <i>(n) the guidelines in the Tasmanian Coastal Works Manual.</i> |

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P1, and is consistent with the objective.

Details of the planner's assessment against the provision are set out overleaf.

12.1.11 Planner's Advice - Performance Criteria

| Scheme Provision | Planner's Assessment |
|--|---|
| <p style="color: green;">C7.6.1 Performance Criteria P1</p> | <p>There are five small areas of road works requiring a permit that fall within the waterway and coastal protection area overlays, where Birralee Road crosses Black Sugarloaf Creek and Reids Creek.</p> <p>The application included a comprehensive Natural Values Assessment (NVA) prepared by North Barker Ecosystem Services. The NVA determined that the proposed road upgrades will have a minimal impact upon the values contained within the waterway protection area. Specifically:</p> <ul style="list-style-type: none"> • The applicant advises that the roadworks will be undertaken in accordance with a project specific Vegetation Management Plan, Weed Management Plan and Construction Management Plan. • The applicant also advises that the works will be carried out in accordance with the environmental best practice guidelines in the Wetlands and Waterways Works Manual and Tasmanian Coastal Works Manual (as relevant). <p>The Planning Permit Application and the NVA will form endorsed plans and information as part of any planning permit ensuring that the commitments expressed within the documents and information will be undertaken as part of the proposed or approved development.</p> <p>Overall, the proposed works will be appropriately managed to avoid causing significant impacts to the values of the affected waterways and in accordance with the Performance Criteria.</p> |

| | |
|---------------------------|--|
| Planning Scheme Provision | C7.6.2 Clearance within a Priority Vegetation Area |
| | Objective |
| | <p><i>That clearance of native vegetation within a priority vegetation area:</i></p> <ul style="list-style-type: none"> <i>(a) does not result in unreasonable loss of priority vegetation;</i> <i>(b) is appropriately managed to adequately protect identified priority vegetation; and</i> <i>(c) minimises and appropriately manages impacts from construction and development activities.</i> |
| | <p>Performance Criteria P1.1</p> <p><i>Clearance of native vegetation within a priority vegetation area must be for:</i></p> <ul style="list-style-type: none"> <i>(a) 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 Tasmania Fire Service or an accredited person;</i> <i>(b) buildings and works associated with the construction of a single dwelling or an associated outbuilding;</i> <i>(c) subdivision in the General Residential Zone or Low Density Residential Zone;</i> <i>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</i> <i>(e) 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</i> <i>(f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</i> |
| | <p>Performance Criteria P1.2</p> <p><i>Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</i></p> <ul style="list-style-type: none"> <i>(a) the design and location of buildings and works and any constraints such as topography or land hazards;</i> <i>(b) any particular requirements for the buildings and works;</i> <i>(c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;</i> <i>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</i> <i>(e) any on-site biodiversity offsets; and</i> <i>(f) any existing cleared areas on the site.</i> |

Summary of Planner's Advice

The development is assessed as satisfying Performance Criteria P1.1 & P1.2 and is consistent with the objective.

Details of the planner's assessment against the provision are set out overleaf.

12.1.11 Planner's Advice - Performance Criteria

| <i>Scheme Provision</i> | Planner's Assessment |
|--|---|
| <p style="text-align: center;">C7.6.2 Performance Criteria P1.1</p> | <p>The proposal is for upgrades and extension of the existing road and will require removal of some small areas of native vegetation that are identified as Priority Vegetation Areas under the planning scheme.</p> <p>The NVA has been provided with the application, detailing the vegetation communities present and their distribution.</p> <p>The proposed vegetation clearance is directly associated with and required for the upgrades of the road, which is an existing use.</p> <p>There are no buildings or subdivision associated with the proposal or requirements for bushfire protection.</p> <p>The upgrading of the road network will deliver long term social and economic benefits to the area and there is no feasible alternative location given the proposal is for upgrades to the existing infrastructure.</p> <p>The areas of vegetation that require clearance are limited in extent and represent a small proportion of the vegetation communities that exist in the area on the surrounding land satisfying P1.1(f).</p> <p>The roadworks will be undertaken in accordance with a project specific Vegetation Management Plan, Weed Management Plan and Construction Management Plan.</p> <p>Overall, the proposed works will be appropriately managed and will not cause an unreasonable loss of priority vegetation.</p> |
| <p style="text-align: center;">C7.6.2 Performance Criteria P1.2</p> | <p>Most of the proposed roadworks will be undertaken on existing cleared and disturbed areas. Small areas of priority vegetation are required to be cleared to allow for the upgrades and extension of the road and associated works.</p> <p>There are no buildings associated with the proposal or requirements for bushfire protection.</p> <p>No specific mitigation measures or biodiversity offsets are proposed.</p> |

12.1.11 Planner's Advice - Performance Criteria

| <i>Scheme Provision</i> | Planner's Assessment |
|--------------------------------|--|
| | Overall, the proposal will minimise the adverse impacts on priority vegetation due to the relatively minor extent of the proposed works and their design and location. |

APPLICATION FORM

PLANNING PERMIT

Land Use Planning and Approvals Act 1993



Meander Valley Council
Working Together

- Application form & details **MUST** be completed **IN FULL**.
- Incomplete forms will not be accepted and may delay processing and issue of any Permits.

OFFICE USE ONLY

| | | | | | | | |
|--------------|----------------------|----------------|----------------------|---|----------------------|----------------------|----------------------|
| Property No: | <input type="text"/> | Assessment No: | <input type="text"/> | - | <input type="text"/> | - | <input type="text"/> |
| DA\ | <input type="text"/> | PA\ | <input type="text"/> | | PC\ | <input type="text"/> | |

- Is your application the result of an illegal building work? Yes No Indicate by ✓ box
- Have you already received a Planning Review for this proposal? Yes No
- Is a new vehicle access or crossover required? Yes No

PROPERTY DETAILS:

| | | | |
|-------------------------------|---|---|----------------------|
| Address: | <input type="text" value="Property list is attached to this form"/> | Certificate of Title: | <input type="text"/> |
| Suburb: | <input type="text"/> | Lot No: | <input type="text"/> |
| Land area: | <input type="text"/> | <i>m² / ha</i> | |
| Present use of land/building: | <input type="text" value="Agricultural adjoining existing road"/> | <i>(vacant, residential, rural, industrial, commercial or forestry)</i> | |

- Does the application involve Crown Land or Private access via a Crown Access Licence: Yes No
- Heritage Listed Property: Yes No

DETAILS OF USE OR DEVELOPMENT:

Indicate by ✓ box Building work Change of use Subdivision Demolition
 Forestry Other

Total cost of development (inclusive of GST): *Includes total cost of building work, landscaping, road works and infrastructure*

| | |
|----------------------|--|
| Description of work: | <input type="text" value="Road Upgrades"/> |
| Use of building: | <input type="text" value="The road is the Utilities use"/> <small>(main use of proposed building – dwelling, garage, farm building, factory, office, shop)</small> |
| New floor area: | <input type="text" value="N/A"/> m ² |
| New building height: | <input type="text" value="N/A"/> m |
| Materials: | External walls: <input type="text" value="N/A"/> Colour: <input type="text"/> |
| | Roof cladding: <input type="text" value="N/A"/> Colour: <input type="text"/> |

12.1.12 Application Documents



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|------------------|------------------------------|
| VOLUME 142529 | FOLIO 1 |
| EDITION 5 | DATE OF ISSUE 02-Feb-2016 |

SEARCH DATE : 06-Sep-2023

SEARCH TIME : 08.52 AM

DESCRIPTION OF LAND

Parish of SELBORNE Land District of DEVON
Lot 1 on Plan 142529
Being the land described in Conveyance No,55/3796
Derivation : For grantees see plan
Derived from A18741

SCHEDULE 1

D137009 TRANSFER to THE TRUST COMPANY (PTAL) LIMITED
Registered 02-Feb-2016 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
C750665 PRIVATE TIMBER RESERVE pursuant to Section 15(1) of
the Forest Practices Act 1985 (affecting part of the
said land within described as shown hatched on the
plan annexed thereto) Registered 09-Jan-2007 at noon
C544664 PRIVATE TIMBER RESERVE pursuant to Section 15(1) of
the Forest Practices Act 1985 Registered
20-Oct-2004 at 12.11 PM

UNREGISTERED DEALINGS AND NOTATIONS

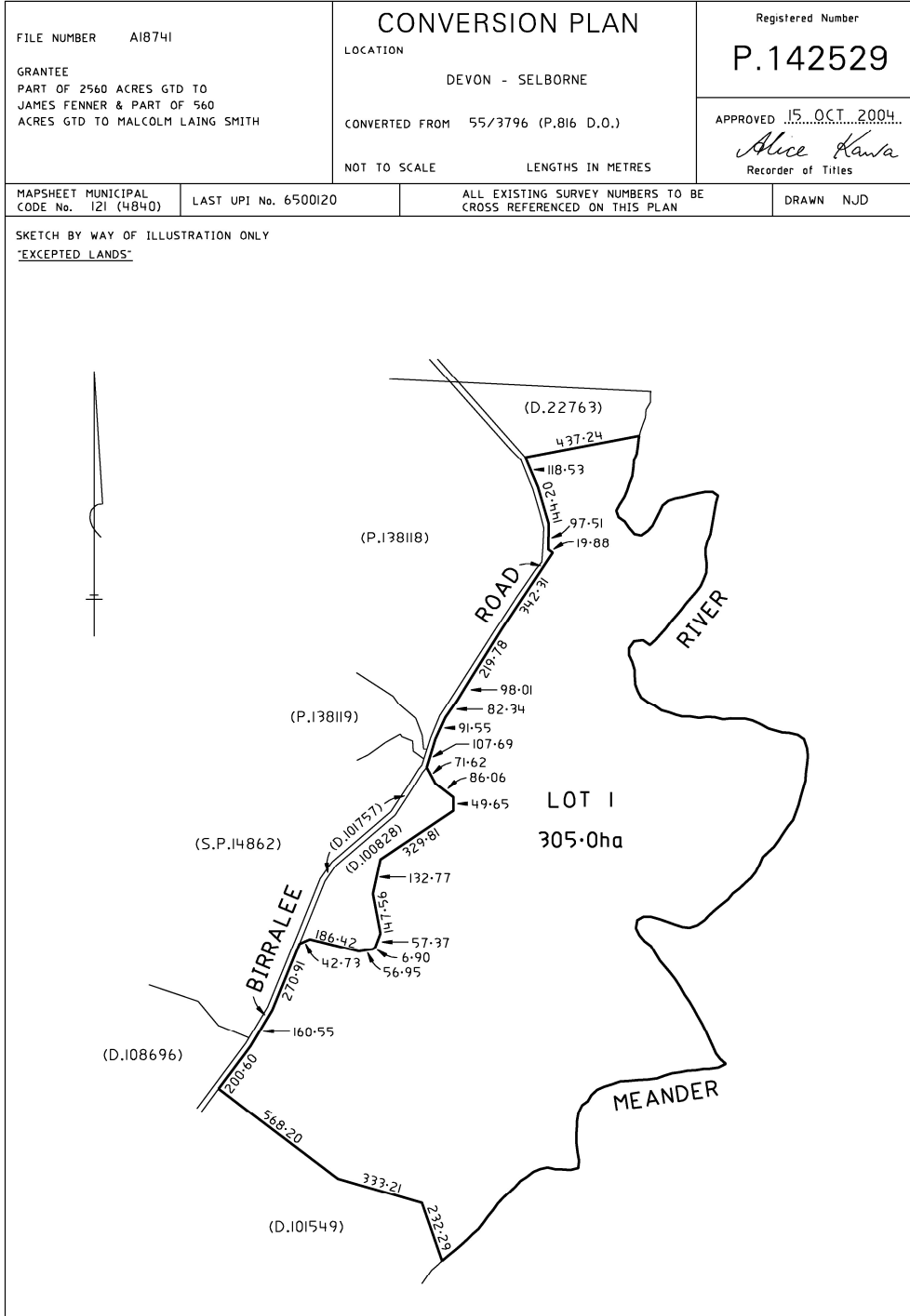
184027 PLAN Lodged by STATE GROWTH on 05-Oct-2022 BP: 184027
N136035 NOTICE to TREAT Pursuant to Section 11 of the Land
Acquisition Act 1993. Lodged by OVG - Acquisitions
on 08-May-2023 BP: N136035
E289177 APPLICATION: THE CROWN under the Land Acquisition Act
1993 of Lodged by VALUER-GENERAL on 28-Jun-2023 BP:
E289177

12.1.12 Application Documents



FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



12.1.12 Application Documents



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|------------------|------------------------------|
| VOLUME 101557 | FOLIO 1 |
| EDITION 4 | DATE OF ISSUE 22-Feb-2006 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 10.56 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
Lot 1 on Diagram 101557
Derivation : Whole of Lot 704, Gtd. to Algernon Burdett Jones
Derived from Application No. 11,146 C.T.

SCHEDULE 1

C600996 ASSENT to MICHAEL LANCE CUSBERT BROWN Registered
22-Feb-2006 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
34/4670 CONVEYANCE: Burdening Easement: Right to pass and
repass (appurtenant to the land described in
Certificate of Title Volume 2870 Folio 64) over the
right of way shown on Diagram 101557
C600997 MORTGAGE to Sandhurst Trustees Limited Registered
22-Feb-2006 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

184027 PLAN Lodged by STATE GROWTH on 05-Oct-2022 BP: 184027
N136058 NOTICE to TREAT Pursuant to Section 11 of the Land
Acquisition Act 1993. Lodged by OVG - Acquisitions
on 08-May-2023 BP: N136058
E289181 APPLICATION: THE CROWN under the Land Acquisition Act
1993 of Lodged by VALUER-GENERAL on 28-Jun-2023 BP:
E289181

12.1.12 Application Documents



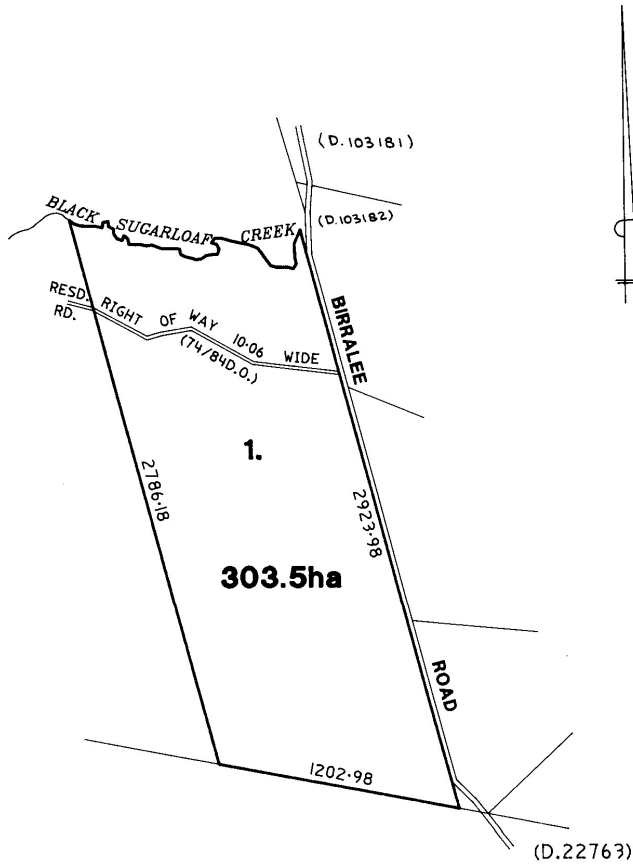
FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



| | | |
|--|---|---|
| Owner: L.T.ACT 1980 | PLAN OF TITLE of land situated in the LAND DISTRICT OF DEVON PARISH OF SELBORNE COMPILED FROM 1/82DEV.L.O. SCALE 1:20000 MEASUREMENTS IN METRES | Registered Number: D.101557 |
| Title Reference: A.11146 | | Approved: 26 AUG 1992 <i>Michael Dim</i> Recorder of Titles |
| Grantee: WHOLE OF LOT 704, 750AC. GTD. TO ALGERNON BURDETT JONES | | |

| | |
|---|-----------------------------|
| TASHAP MUNICIPAL CODE NO. 65 | LAST TASHAP UPI NO. 3783 |
| ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN | |



S.G.
25-8-92



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|------------------|------------------------------|
| VOLUME 230999 | FOLIO 1 |
| EDITION 5 | DATE OF ISSUE 08-Apr-2022 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 11.00 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
 Lot 1 on Plan 230999
 Derivation : Lots 2362 and 2366 Gtd. to J. Symmons.
 Prior CT 3113/54

SCHEDULE 1

M751728 DENISE ELIZABETH SWAN as personal representative of
 Ian Hume Swan Registered 08-Apr-2022 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

C23613 PRIVATE TIMBER RESERVE pursuant to Section 15(1) of
 the Forest Practices Act 1985 "against portion of the
 land as described therein" Registered 08-Aug-1997 at
 noon

C656087 INSTRUMENT creating Restrictive Covenants pursuant to
 section 34 Nature Conservation Act 2002

C582143 Partial Revocation of Part Private Timber Reserve
 C23613 over that part of the said land within
 described after excepting thereout the hatched
 portion on CPR 6740 annexed thereto Registered
 08-Nov-2006 at noon

C850890 INSTRUMENT Creating forestry right for Wesley Vale
 Engineering Pty Ltd for the term of 15 years from 1st
 January 2008 and ending on 31st December 2022 or the
 date of completion of harvest whichever is the later
 over the lands shown hatched on the Forestry Right
 Diagrams filed in "Plan-Related Documents" against
 the titleplan to the within land (together with
 ancillary rights) Registered 15-Dec-2009 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

R.P. 442

ANNEXURE TO CERTIFICATE OF TITLE VOL. 3113 FOL. 54

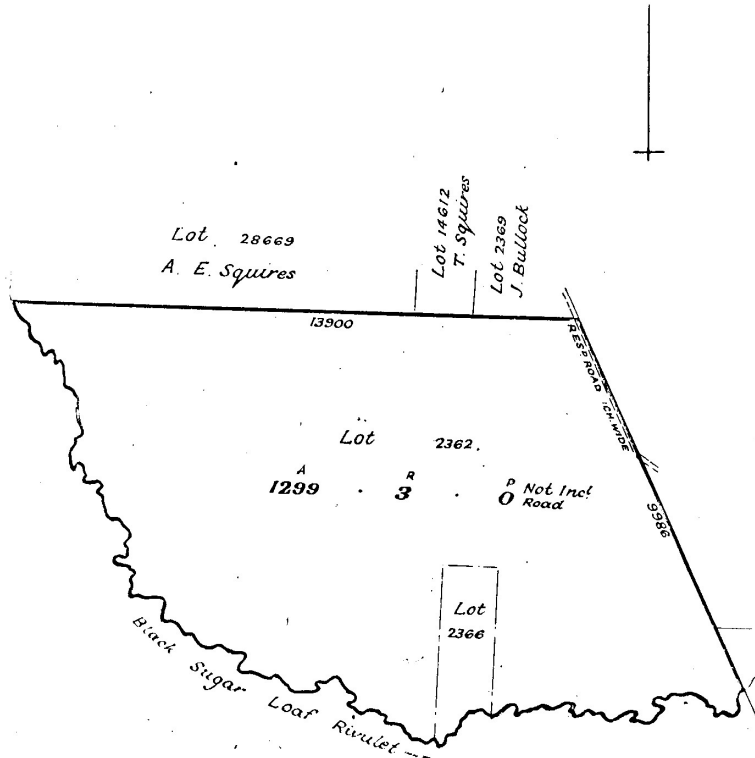
[Signature]
Recorder of Titles



REGISTERED NUMBER

230999

Lot 1 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register.



12.1.12 Application Documents



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|------------------|------------------------------|
| VOLUME 103182 | FOLIO 1 |
| EDITION 5 | DATE OF ISSUE 08-Apr-2022 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 11.00 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
Lot 1 on Diagram 103182
Being the land secondly described in Indenture No. 68/1828
Derivation : Part of 2 560-0-0 Granted to L. Thomas
Derived from Y15789

SCHEDULE 1

M751728 DENISE ELIZABETH SWAN as personal representative of
Ian Hume Swan Registered 08-Apr-2022 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

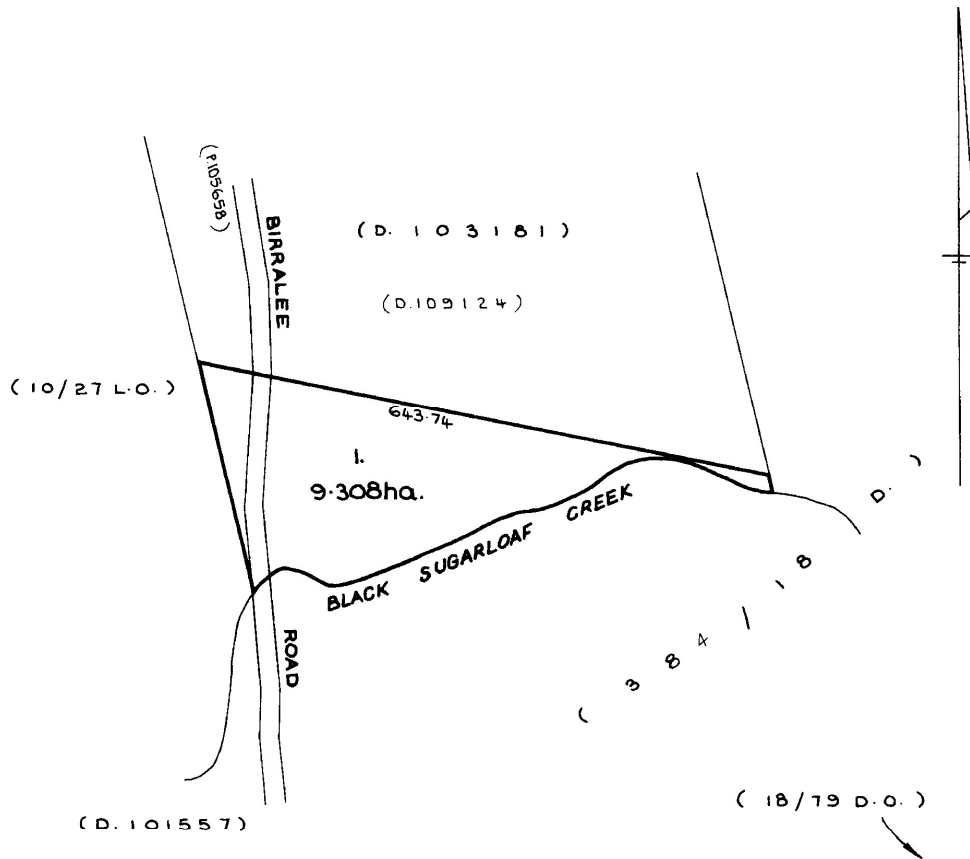


| | | |
|---|---|--------------------------------------|
| APPROVED 18 FEB 1993 <i>Michael Dini</i> RECORDER OF TITLES | CONVERSION PLAN CONVERTED FROM 68/1828 | REGISTERED NUMBER D.103182 |
| FILE NUMBER Y. 15789 | GRANTEE PART OF 2560-0-0 GTD. TO LOUISA THOMAS. | DRAWN C. FRA 17-2-93 |

SKETCH BY WAY OF ILLUSTRATION ONLY

CITY/TOWN OF
LAND DISTRICT OF DEVON
PARISH OF SELBORNE
LENGTHS ARE IN METRES. NOT TO SCALE.
~~LENGTHS IN BRACKETS IN LINKS/FEET & INCHES~~

| | | |
|---|-----------------------------|----------------------|
| TASMAP MUNICIPAL CODE NO. 65 | LAST TASMAP UPI NO. 3904 | LAST SURVEY PLAN NO. |
| ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN | | |



12.1.12 Application Documents



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|------------------|------------------------------|
| VOLUME 109124 | FOLIO 1 |
| EDITION 5 | DATE OF ISSUE 08-Apr-2022 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 11.01 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
Lot 1 on Diagram 109124
Derivation : Part of 320-0-0 Granted to R. C. Gunn, T. B.
Bartley and W. Henty
Derived from Y15789
Prior CT 103181/1

SCHEDULE 1

M751728 DENISE ELIZABETH SWAN as personal representative of
Ian Hume Swan Registered 08-Apr-2022 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

12.1.12 Application Documents



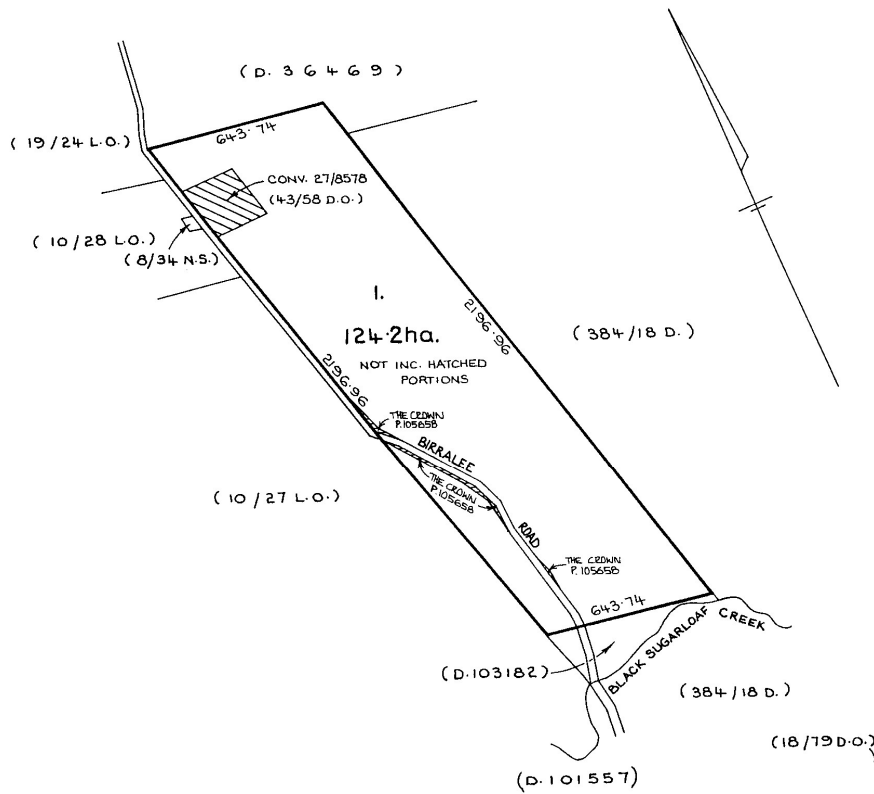
FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



| | | | | | |
|-------------------------------|-------------------|---------------------------------|---|--|--|
| OWNER | | PLAN OF TITLE | | REGISTERED NUMBER | |
| FOLIO REFERENCE C.T. 103181-1 | | | | D109124 | |
| GRANTEE | | LOCATION | | APPROVED 13 DEC 1999 | |
| | | DEVON SELBORNE | | <i>M. H. ...</i> Recorder of Titles | |
| | | COMPILED FROM 1/80 L.O. | | | |
| | | COMPILED BY M.S.B. 3-12-99 | | | |
| | | SCALE 1:15000 LENGTHS IN METRES | | | |
| STATE MUNICIPAL CODE No. 65 | LAST UPI No. 0340 | LAST SURVEY PLAN No. D.103181 | ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN | | |

BALANCE PLAN



12.1.12 Application Documents



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|------------------|------------------------------|
| VOLUME 122109 | FOLIO 1 |
| EDITION 6 | DATE OF ISSUE 12-Feb-2019 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 11.02 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
Lot 1 on Plan 122109
Derivation : Whole of Lot 1784 Gtd. to R.Cousins
Prior CT 2339/94

SCHEDULE 1

M724982 TRANSFER to PAUL STUART HALLIER and REBECCA CLARE
RUMBLE Registered 12-Feb-2019 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

12.1.12 Application Documents



FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



| | | | | |
|----------------------------|-----|----------------------|---------------------------------|---|
| OWNER | | PLAN OF TITLE | | REGISTERED NUMBER |
| FOLIO REFERENCE CT 2339/94 | | | | P122109 |
| GRANTEE | | LOCATION | FIRST SURVEY PLAN No (10/30 LO) | APPROVED 8 DEC 1995 |
| | | DEVON - SELBORNE | COMPILED BY LTO | <i>Michael O'Brien</i> Recorder of Titles |
| | | | SCALE 1 5000 | LENGTHS IN METRES |
| MAPSHEET MUNICIPAL CODE No | 121 | LAST UPI No | 6500374 | LAST PLAN No (10/30 LO) |
| | | | | ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN |
| BALANCE PLAN | | | | |
| | | | | |

DB ^{A 143}

12.1.12 Application Documents



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|-----------------|------------------------------|
| VOLUME 32059 | FOLIO 2 |
| EDITION 4 | DATE OF ISSUE 06-Jun-2023 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 11.04 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
Lot 2 on Diagram 32059
Derivation : Part of Lot 1783 Gtd. to R. Cousins
Prior CT 4519/26

SCHEDULE 1

M908832 & N135795 TRANSFER to WAYNE EDWARD DOBSON and
JENNIFER SUE DOBSON Registered 06-Jun-2023 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

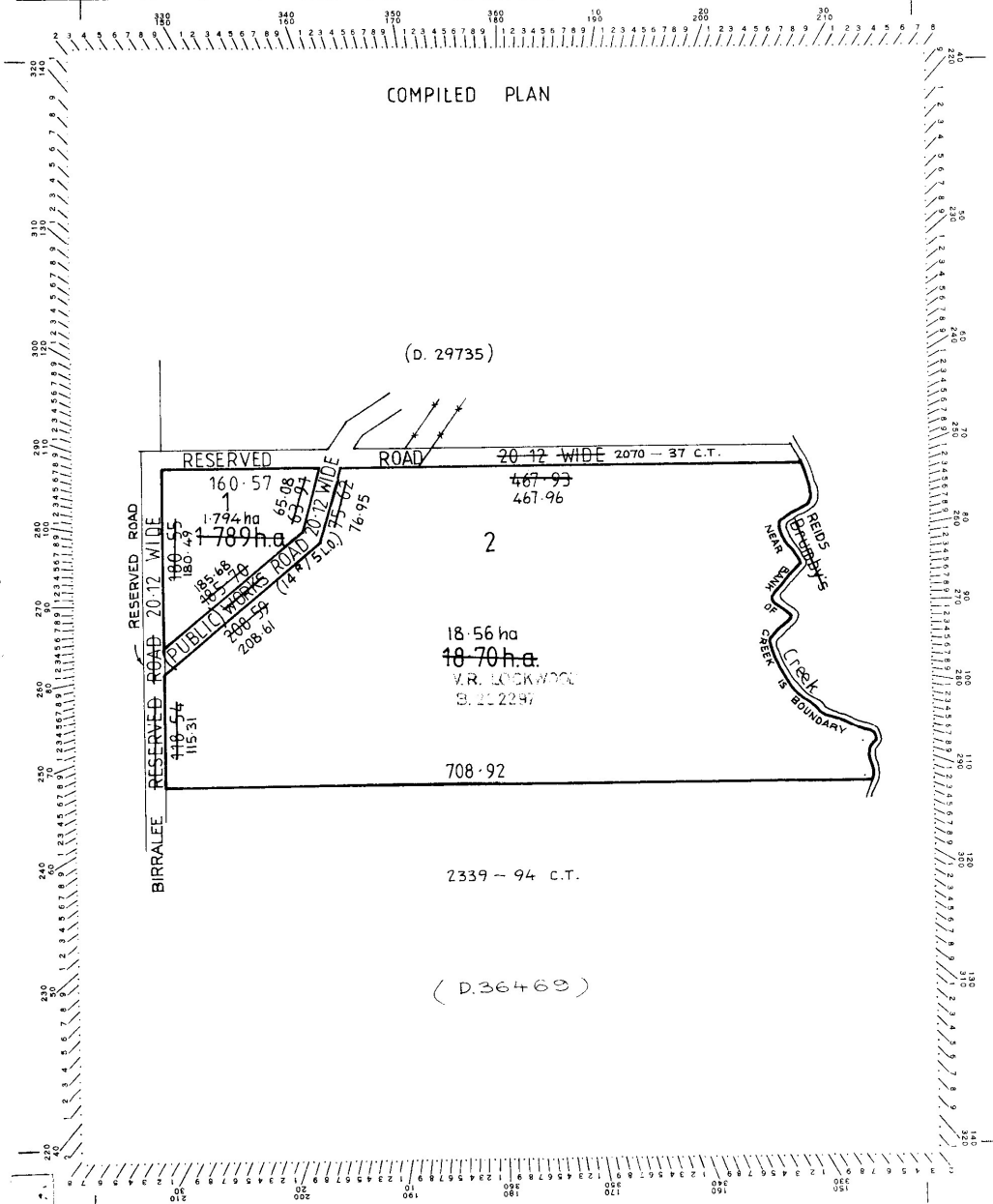


FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



| | | |
|--|---|-------------------------------------|
| Owner: Olive Greta Mary Lockwood | PLAN OF SURVEY by Surveyor..... of land situated in the LAND DISTRICT OF DEVON PARISH OF SELBORNE | Registered Number: D32059 |
| Title Reference: C.T. 2807-75 | | Approved Effective from: |
| Grantee: The Whole of Lot 1783 51-2-20 Gtd to Rheuben Cousins | SCALE 1:4000 MEASUREMENTS IN METRES | Recorder of Titles |



12.1.12 Application Documents



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|-----------------|------------------------------|
| VOLUME 32059 | FOLIO 1 |
| EDITION 5 | DATE OF ISSUE 20-Jul-2012 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 11.05 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
Lot 1 on Diagram 32059
Derivation : Part of Lot 1783 Gtd. to R. Cousins
Prior CT 4519/27

SCHEDULE 1

C373813 TRANSFER to MATTHEW BRADLEY JAMES ANDERSON
Registered 22-May-2002 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
D54617 MORTGAGE to MyState Financial Limited Registered
20-Jul-2012 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

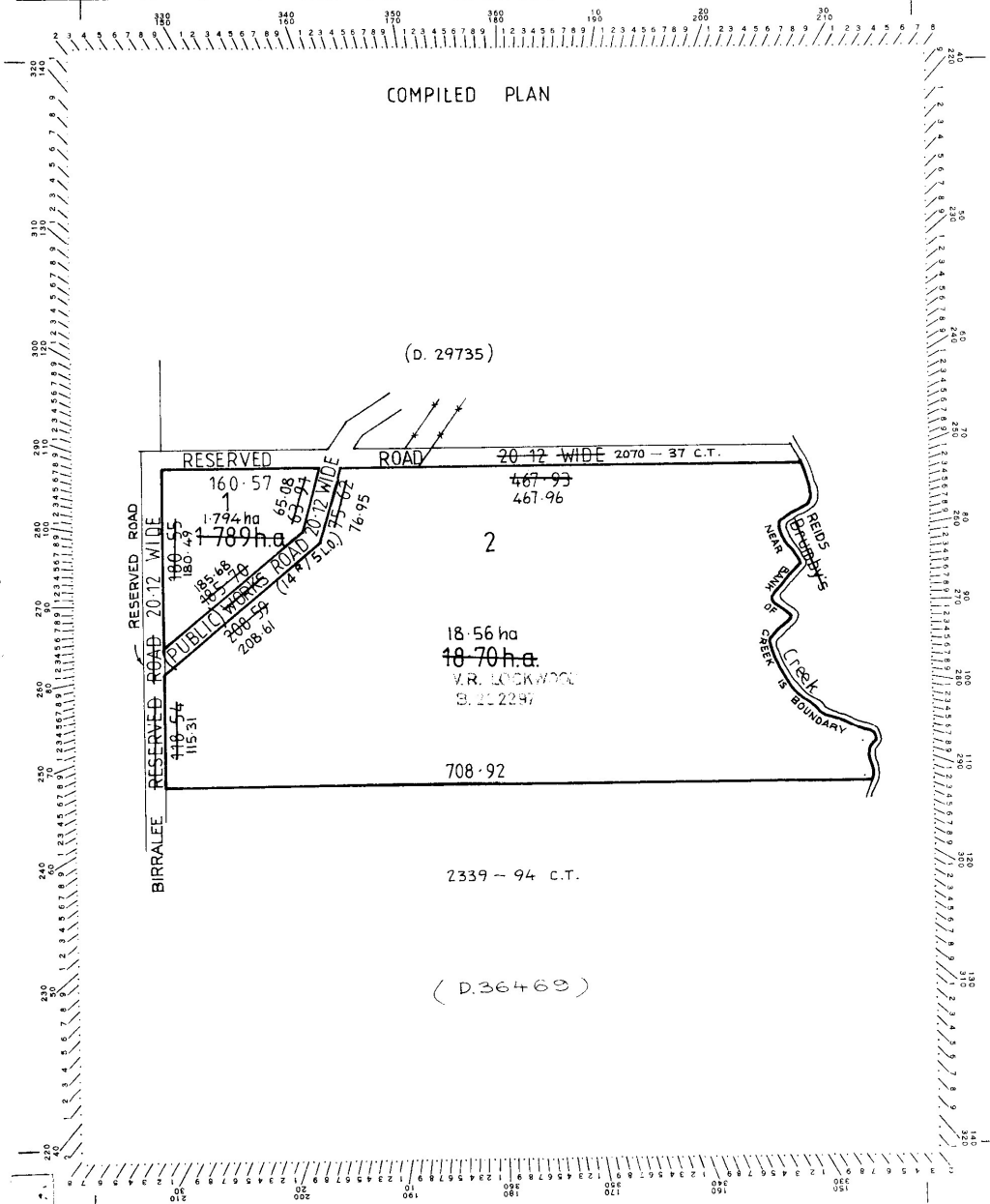


FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



| | | |
|--|---|-------------------------------------|
| Owner: Olive Greta Mary Lockwood | PLAN OF SURVEY by Surveyor..... of land situated in the LAND DISTRICT OF DEVON PARISH OF SELBORNE | Registered Number: D32059 |
| Title Reference: C.T. 2807-75 | | Approved Effective from: |
| Grantee: The Whole of Lot 1783 51-2-20 Gtd to Rheuben Cousins | SCALE 1:4000 MEASUREMENTS IN METRES | Recorder of Titles |



12.1.12 Application Documents



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|-----------------|------------------------------|
| VOLUME 29735 | FOLIO 1 |
| EDITION 8 | DATE OF ISSUE 11-Jan-2013 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 11.06 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
Lot 1 on Diagram 29735
Derivation : Part of Lot 2368 Gtd to R Wilson
Prior CT 4323/21

SCHEDULE 1

M397494 TRANSFER to STEPHEN JOHN DANSON Registered
11-Jan-2013 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
B88936 FENCING PROVISION in Transfer
D69613 MORTGAGE to Commonwealth Bank of Australia
Registered 11-Jan-2013 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



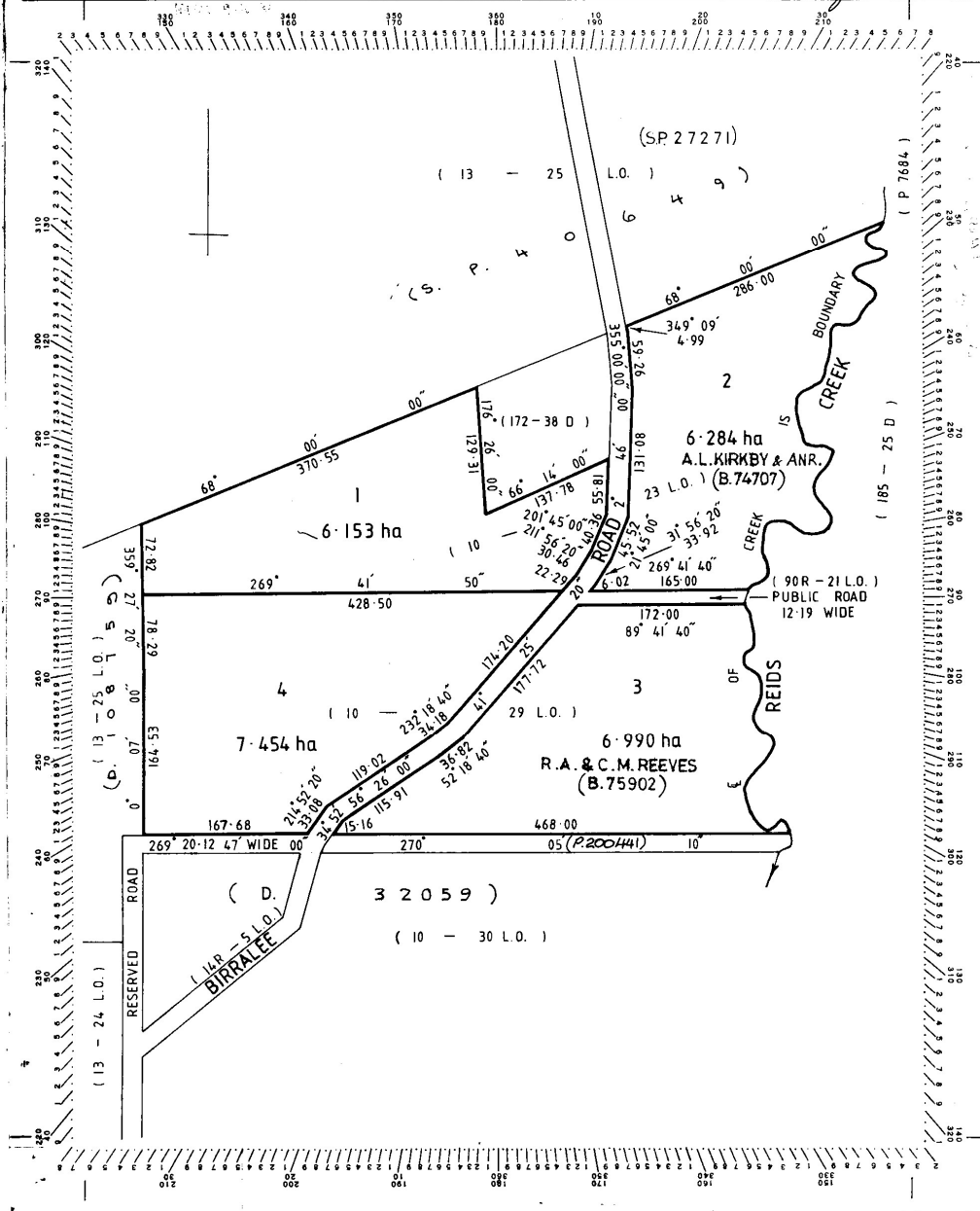
FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



25/59

| | | |
|---|--|--|
| Owner: Harold Henry Faulkner & Mollie Agnes Faulkner. Title Reference: C.T. Vol. 2132 Fol. 69. (Lots 1 & 2.) C.T. Vol. 2070 Fol. 35. (Lots 3 & 4.) Grantee: Part of Lot 2368, 36 acres, Reuben Wilson, pur. & Lot 2367, 35a to 38p., William Anthony, pur. 36a Or 0a | PLAN OF SURVEY by Surveyor..... C. J. Cohen of land situated in the LAND DISTRICT OF DEVON PARISH OF SELBORNE SCALE 1:4 000 MEASUREMENTS IN METRES | Registered Number: D29735 Approved Effective from: <i>27 October 1986</i> <i>J. Broad</i> Recorder of Titles |
|---|--|--|



12.1.12 Application Documents



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|-----------------|------------------------------|
| VOLUME 29735 | FOLIO 3 |
| EDITION 2 | DATE OF ISSUE 04-Jul-2003 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 11.07 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
Lot 3 on Diagram 29735
Derivation : Part of Lot 2367, 35A-1R-38Ps. Gtd. to W. Anthony
Prior CT 4323/22

SCHEDULE 1

C465571 TRANSFER to CAROL GAYE NASH Registered 04-Jul-2003
at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
B75902 FENCING PROVISION in Transfer
C465572 MORTGAGE to Commonwealth Bank of Australia
Registered 04-Jul-2003 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



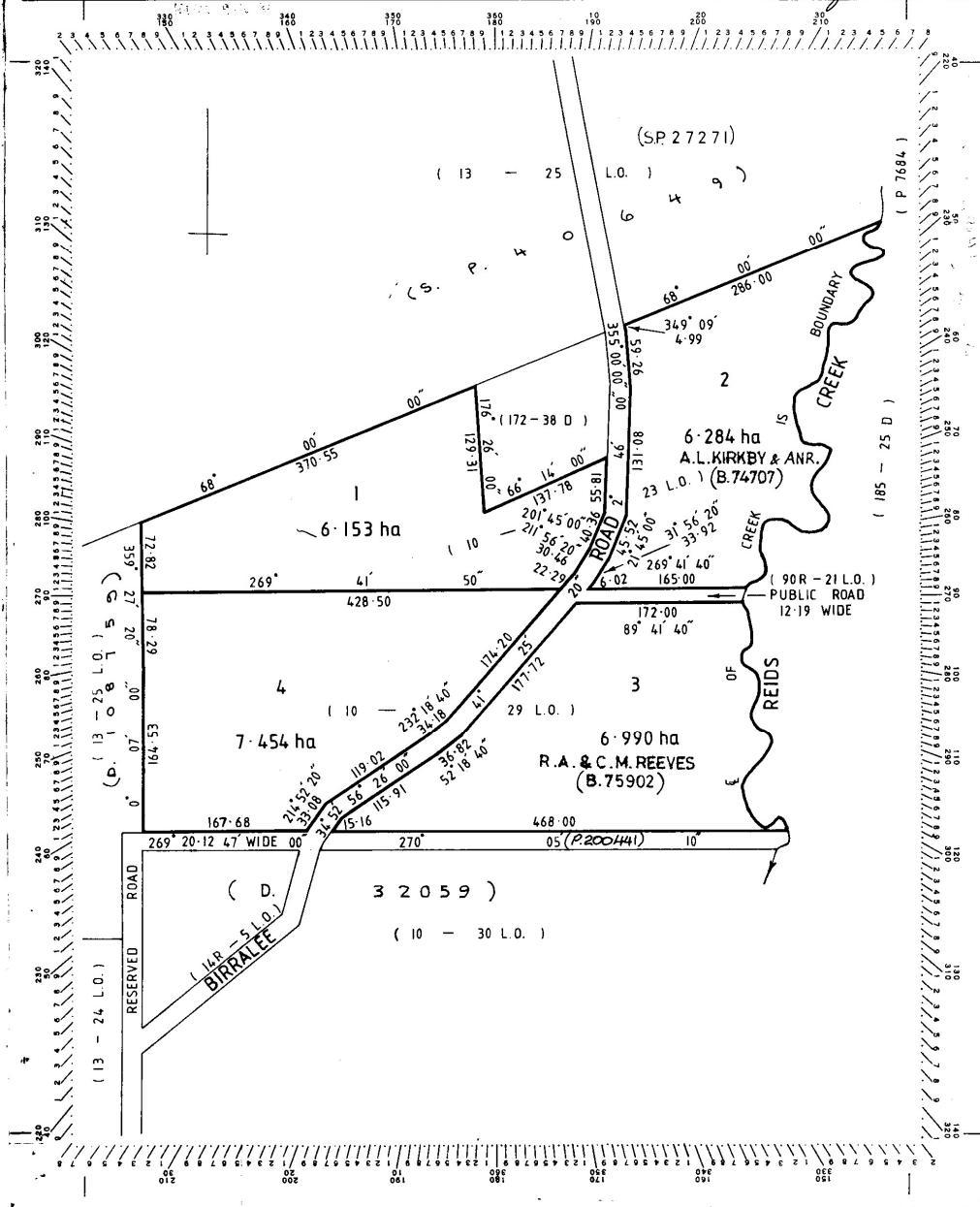
FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



25/59

| | | |
|---|--|---|
| Owner: Harold Henry Faulkner & Mollie Agnes Faulkner. Title Reference: C.T. Vol. 2132 Fol. 69. (Lots 1 & 2.) C.T. Vol. 2070 Fol. 35. (Lots 3 & 4.) Grantee: Part of Lot 2368, 36 acres, Reuben Wilson, pur. & Lot 2367, 35a to 38p., William Anthony, pur. 36a Or 0r | PLAN OF SURVEY by Surveyor..... C. J. Cohen of land situated in the LAND DISTRICT OF DEVON PARISH OF SELBORNE SCALE 1:4 000 MEASUREMENTS IN METRES | Registered Number: D29735 Approved Effective from: <i>27 October 1986</i> <i>[Signature]</i> Recorder of Titles |
|---|--|---|



12.1.12 Application Documents



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|-----------------|------------------------------|
| VOLUME 40649 | FOLIO 3 |
| EDITION 2 | DATE OF ISSUE 29-Jun-2016 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 11.08 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
Lot 3 on Sealed Plan 40649
Derivation : Part of Lot 3327 Gtd. to J. Ginn
Prior CT 4607/58

SCHEDULE 1

A796890 MONTAGUE CHARLES BLACKBERRY and ESTHER JEAN BLACKBERRY

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 40649 BENEFITING EASEMENT: Right of Drainage over the
drainage easement A.B.C.D. on SP 40649
SP 40649 FENCING PROVISION in Schedule of Easements
A796891 MORTGAGE to Australia and New Zealand Banking Group
Limited Registered 01-Jun-1982 at 12.01 PM
C74445 CAVEAT by Wesley Vale Engineering Pty. Ltd. against
portion of the land described therein. Registered
15-Jun-1998 at noon
C312147 PRIVATE TIMBER RESERVE pursuant to Section 15(1) of
the Forest Practices Act 1985(affecting part of the
said land within described as shown hatched on the
Plan annexed thereto) Registered 11-May-2004 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



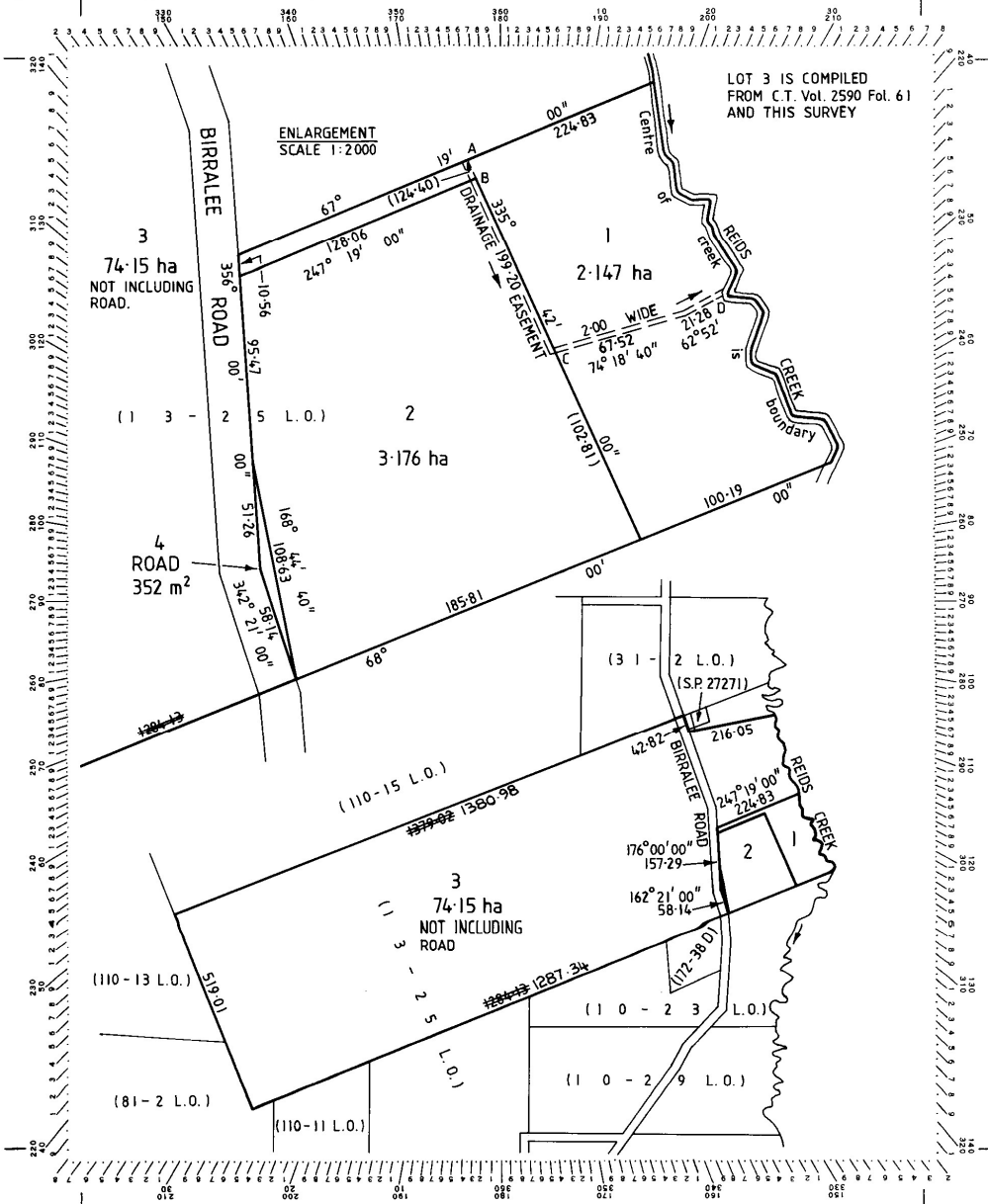
FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



25-59

| | | |
|--|--|---|
| Owner: Montague Charles Blackberry & Esther Joan Blackberry | PLAN OF SURVEY by Surveyor <u>R.V. Tait</u> of land situated in the LAND DISTRICT OF DEVON PARISH OF SELBORNE SCALE 1: 10 000 MEASUREMENTS IN METRES | Registered Number: SP40649 |
| Title Reference: C.T. Vol. 2590 Fol. 61 C.T. 4214-85 | | Approved: 17 OCT 2023 |
| Grantee: Part of Lot 3327, 200 acres, James Ginn - pur. | | Effective from: _____ <i>M. P. [Signature]</i> Recorder of Titles |



12.1.12 Application Documents



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS

PLAN NO.

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

SP40649

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

EASEMENTS AND PROFITS

Each lot on the plan is together with:—

- (1) such rights of drainage over the drainage easements shewn on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits à prendre described hereunder.

Each lot on the plan is subject to:—

- (1) such rights of drainage over the drainage easements shewn on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits à prendre described hereunder.

The direction of the flow of water through the drainage easements shewn on the plan is indicated by arrows.

FENCING PROVISION

The owner or owners of Lots 1 2 and 3 shown on the plan covenant with the Vendor (MONTAGUE CHARLES BLACKBERRY and ESTHER JEAN BLACKBERRY) that the Vendor shall not be required to fence.

EASEMENTS

Lot 1 is SUBJECT TO a right of drainage (appurtenant to Lot 3 over the drainage easement marked "Drainage Easement 2.00 wide A B and C D" hereon

Lot 1 is SUBJECT TO a right of drainage (appurtenant to Lot 2 over the drainage easement marked "Drainage Easement 2.00 wide C D" hereon

Lot 2 is SUBJECT TO a right of drainage (appurtenant to Lots 1 and 3 over the drainage easement marked "Drainage Easement 2.00 wide B C" hereon



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



40649

Lot 3 is TOGETHER WITH a right of drainage ~~(appurtenant to Lot 1)~~ over the drainage easement marked "Drainage Easement 2.00 wide A B and C D" hereon

Lot 2 is TOGETHER WITH a right of drainage ~~(appurtenant to Lot 1)~~ over the drainage easement marked "Drainage Easement 2.00 wide C D" hereon

Lots 1 and 3 are TOGETHER WITH a right of drainage ~~(appurtenant to Lot 2)~~ over the drainage easement marked "Drainage Easement 2.00 wide B C" hereon

SIGNED by MONTAGUE CHARLES BLACKBERRY and)

ESTHER JEAN BLACKBERRY as registered)

Proprietor of the land comprised in)

Folio of the Register Volume ~~2590~~ Folio ~~61~~)

in the presence of:)

M. C. Blackberry
E. J. Blackberry

W. Kent
Don't think
can we stop

STATIA AND NEW ZEALAND
FINANCIAL GROUP LIMITED by
POWER OF ATTORNEY NO. 50/18529



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



40649

This is the schedule of easements attached to the plan of MONNEVE CHARLES BLACKBURN
(Insert Subdivider's Full Name)

J. ESTHER JONN BLACKBURN affecting land in

C.T. VOL 2590 FOL 61
(Insert Title Reference)

Sealed by MUNICIPALITY OF WILMUN on 10th July 1989

Solicitor's Reference [Signature]
Council Clerk/Town Clerk

05.4.3134

12.1.12 Application Documents



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|------------------|------------------------------|
| VOLUME 112822 | FOLIO 1 |
| EDITION 5 | DATE OF ISSUE 19-Dec-2021 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 11.09 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON

Lot 1 on Plan 112822

Derivation : Whole of Lot 7809 Gtd. to W. Gillam

Prior CT 4303/100

SCHEDULE 1

M933794 TRANSFER to JENNA ANNE MYERS Registered 19-Dec-2021
at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

E286548 MORTGAGE to Residential Mortgage Group Pty Ltd

Registered 19-Dec-2021 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

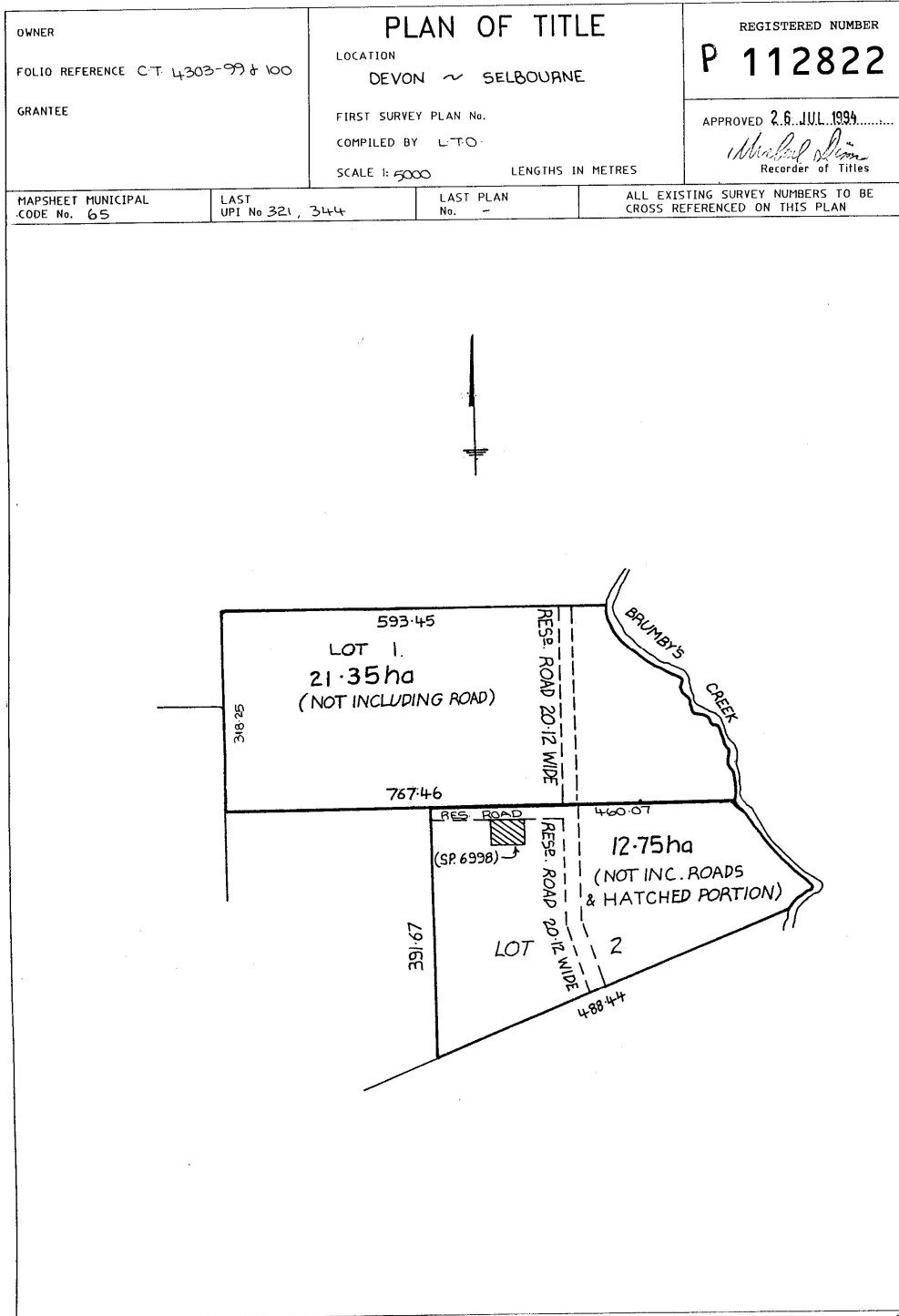
185624 Priority Sealed Plan Lodged by WOOLCOTT SURVEYS on
03-Aug-2023 BP: 185624

12.1.12 Application Documents



FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



12.1.12 Application Documents



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|------------------|------------------------------|
| VOLUME 124701 | FOLIO 1 |
| EDITION 3 | DATE OF ISSUE 13-Oct-2021 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 11.12 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
Lot 1 on Plan 124701
Derivation : Part of Lot 9028 Gtd to J. Reid
Prior CT 41001/1

SCHEDULE 1

M916503 VANESSA MARY HENRICKS as personal representative of
John Zammit Registered 13-Oct-2021 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
B187209 BENEFITING EASEMENT: Right of carriageway over the
land marked G.H.I.J. on Plan No. 124701

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

12.1.12 Application Documents



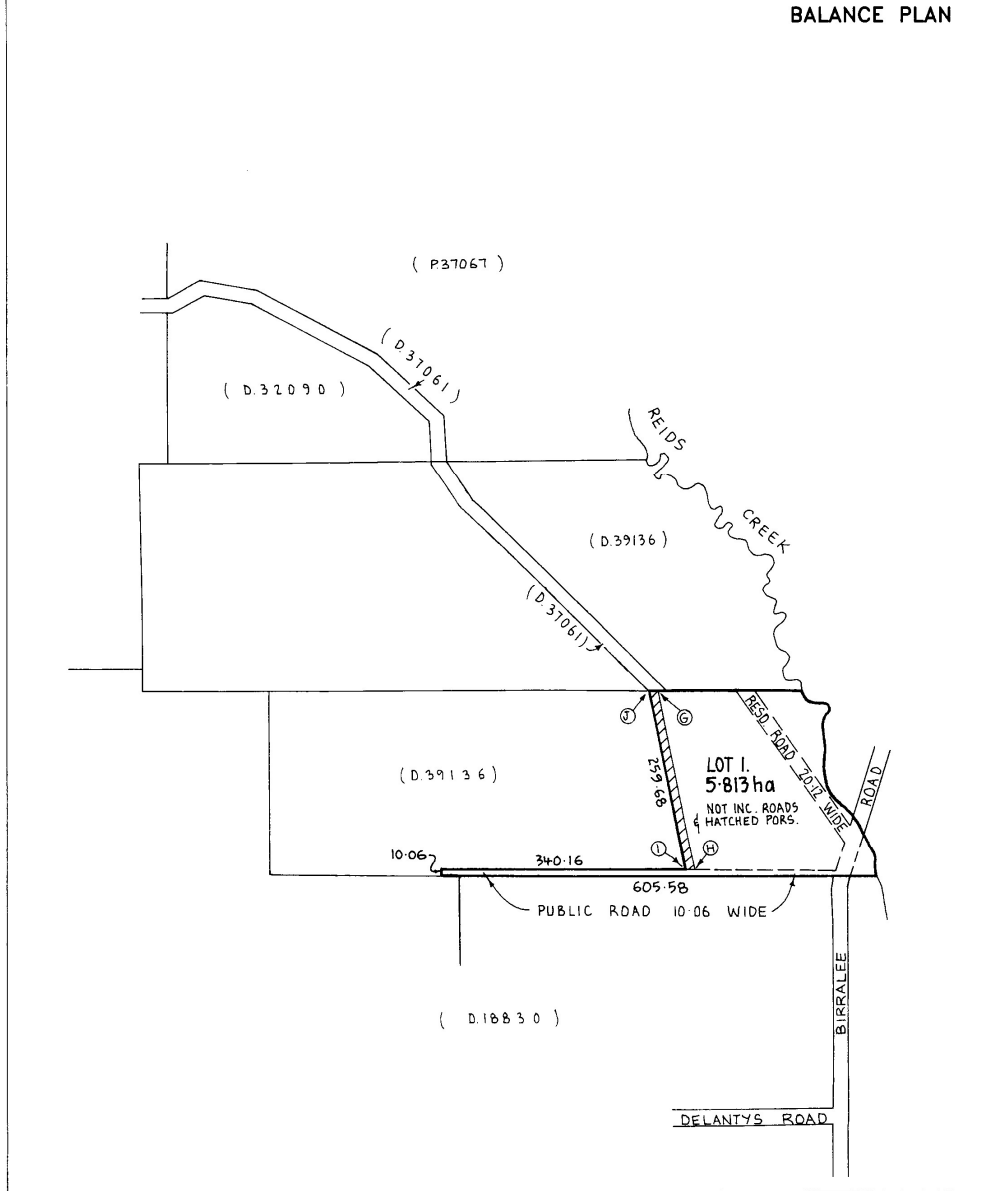
FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



| | | |
|---------------------------------|-------------------------------|--|
| OWNER | PLAN OF TITLE | REGISTERED NUMBER |
| FOLIO REFERENCE F.R. 41001-1 | | LOCATION |
| GRANTEE | | DEVON - SELBORNE |
| | FIRST SURVEY PLAN No. D.41001 | P124701 |
| | COMPILED BY LTO | APPROVED 15 JUL 1995 |
| | SCALE 1:5000 | <i>Michael Smith</i> Recorder of Titles |
| | LENGTHS IN METRES | |

| | | | |
|---------------------------------|--------------------------------|-----------------------|---|
| MAPSHEET MUNICIPAL CODE No. 129 | LAST UPI No. 6503790 & 6503791 | LAST PLAN No. D.41001 | ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN |
|---------------------------------|--------------------------------|-----------------------|---|





RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|-----------------|------------------------------|
| VOLUME 85318 | FOLIO 5 |
| EDITION 6 | DATE OF ISSUE 14-Dec-2020 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 11.12 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
Lot 5 on Plan 85318 (formerly being P574)
Derivation : Part of Lot 2363 Gtd. to G.T. Collins
Prior CT 4107/10

SCHEDULE 1

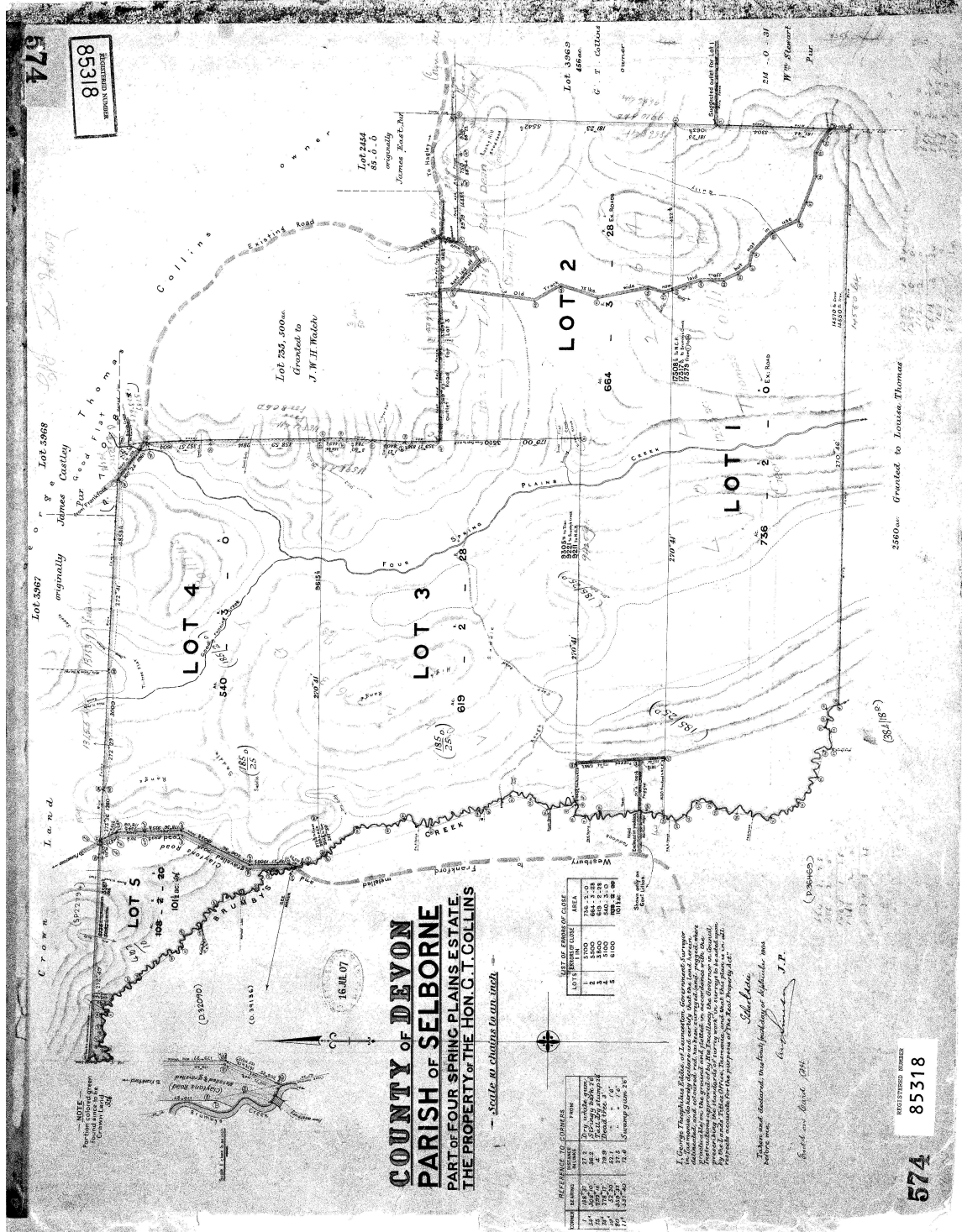
M847191 TRANSFER to THISTLE LEA PTY LTD Registered
14-Dec-2020 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



12.1.12 Application Documents



RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|----------------|------------------------------|
| VOLUME 7684 | FOLIO 1 |
| EDITION 4 | DATE OF ISSUE 02-Feb-2016 |

SEARCH DATE : 15-Aug-2023

SEARCH TIME : 11.13 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
Lot 1 on Plan 7684
Derivation : Part of Lots 2363 and 2364 Gtd. to G.T. Collins
Prior CT 3728/20

SCHEDULE 1

D137009 TRANSFER to THE TRUST COMPANY (PTAL) LIMITED
Registered 02-Feb-2016 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
B573567 Private Timber Reserve pursuant to Seciton 15(1) of
the Forest Practices Act 1985 Registered 16-Sep-1992
at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

12.1.12 Application Documents



FOLIO PLAN
RECORDER OF TITLES

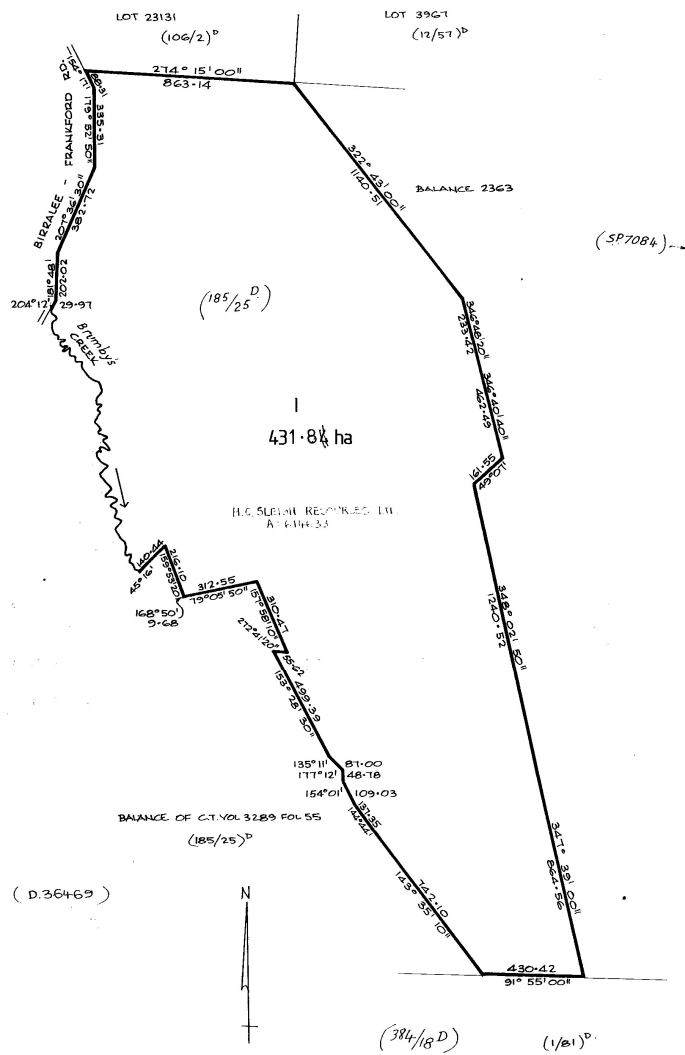
Issued Pursuant to the Land Titles Act 1980



| | | |
|--|--|--|
| Owner: MICHAEL JOHN RAE | PLAN OF SURVEY By Surveyor G.J. WALKER of land situated in the | Registered Number: p7684 Approved Effective from 3 OCT 1978 <i>[Signature]</i> Recorder of Titles |
| Title Reference: CT VOL 3289 FOL 55 | LAND DISTRICT OF DEVON PARISH OF SELBORNE | |
| Grantee: PART OF LOTS 2363 & 2364 GRANTED TO G.T. COLLING | SCALE 1:12500 | |

10/11/2023

LENGTHS ARE IN METRES





RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

| | |
|-----------------|------------------------------|
| VOLUME 40649 | FOLIO 2 |
| EDITION 4 | DATE OF ISSUE 15-Sep-2020 |

SEARCH DATE : 15-Aug-2023
SEARCH TIME : 11.14 AM

DESCRIPTION OF LAND

Parish of SELBORNE, Land District of DEVON
Lot 2 on Sealed Plan 40649
Derivation : Part of Lot 3327 Gtd. to J. Ginn
Prior CT 4607/57

SCHEDULE 1

M836019 TRANSFER to DANIELLE REBECCA BENNETT Registered
15-Sep-2020 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP 40649 BENEFITING EASEMENT: Right of Drainage over the
drainage easement C.D. on SP 40649
SP 40649 BURDENING EASEMENT: Right of Drainage [appurtenant to
Lots 1 and 3 on Sealed Plan No. 40649) over the
Drainage Easement B.C. on SP 40649
SP 40649 FENCING PROVISION in Schedule of Easements
E233356 MORTGAGE to National Australia Bank Limited
Registered 15-Sep-2020 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

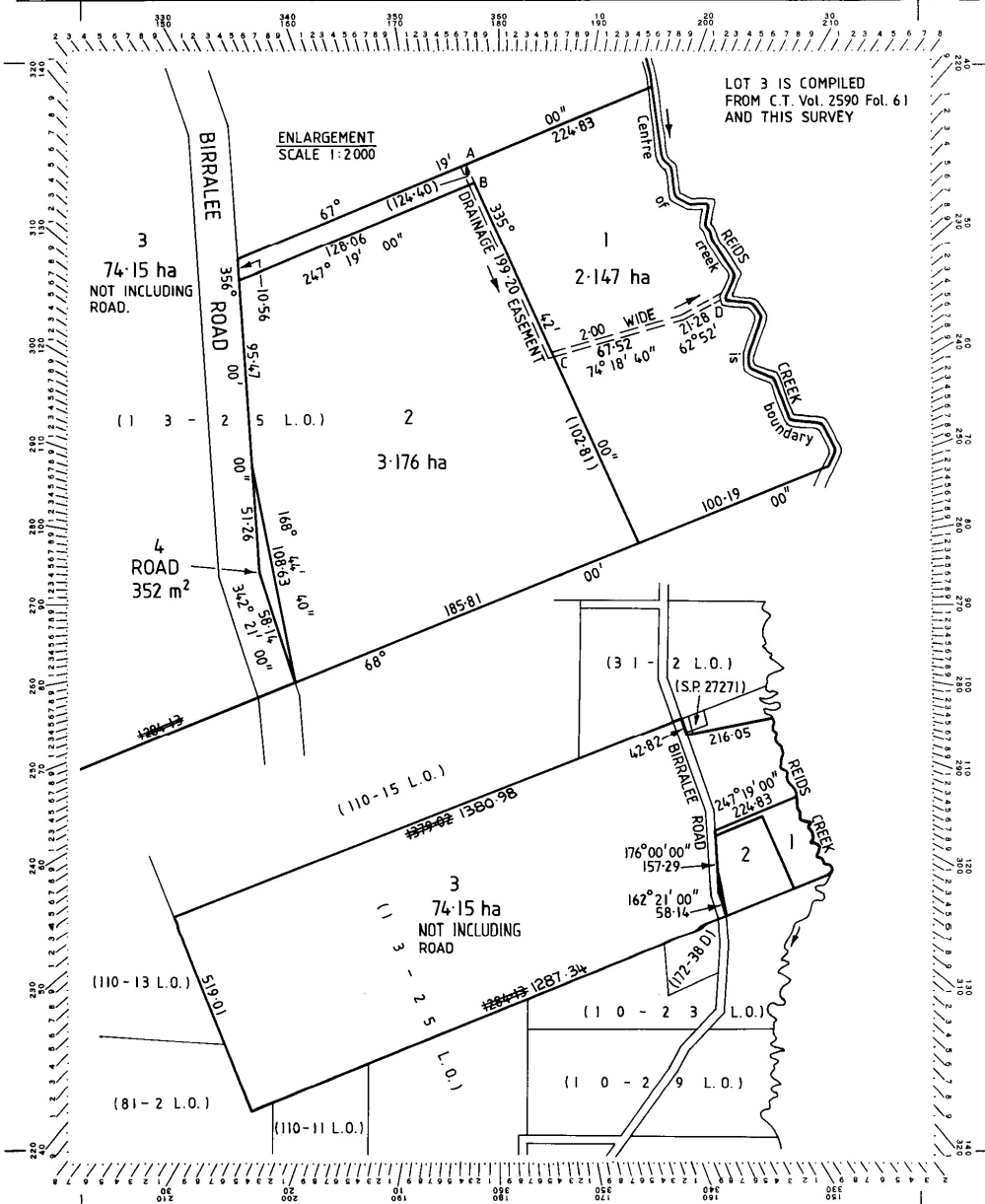


FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



| | | |
|--|---|---|
| Owner: Montague Charles Blackberry & Esther Joan Blackberry | <p>PLAN OF SURVEY by Surveyor R.V. Tait of land situated in the</p> <p>LAND DISTRICT OF DEVON PARISH OF SELBORNE</p> <p>SCALE 1: 10 000 MEASUREMENTS IN METRES</p> | Registered Number: SP40649 |
| Title Reference: C.T. Vol. 2590 Fol. 61 C.T. 4214 - 85 | | Approved: 17 OCT 2023 |
| Grantee: Part of Lot 3327, 200 acres, James Ginn - pur. | | Effective from: <i>M. P. [Signature]</i> Recorder of Titles |



12.1.12 Application Documents



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS

PLAN NO.

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

SP40649

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

EASEMENTS AND PROFITS

Each lot on the plan is together with:—

- (1) such rights of drainage over the drainage easements shewn on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
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Each lot on the plan is subject to:—

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The direction of the flow of water through the drainage easements shewn on the plan is indicated by arrows.

FENCING PROVISION

The owner or owners of Lots 1 2 and 3 shown on the plan covenant with the Vendor (MONTAGUE CHARLES BLACKBERRY and ESTHER JEAN BLACKBERRY) that the Vendor shall not be required to fence.

EASEMENTS

Lot 1 is SUBJECT TO a right of drainage (appurtenant to Lot 3 over the drainage easement marked "Drainage Easement 2.00 wide A B and C D" hereon

Lot 1 is SUBJECT TO a right of drainage (appurtenant to Lot 2 over the drainage easement marked "Drainage Easement 2.00 wide C D" hereon

Lot 2 is SUBJECT TO a right of drainage (appurtenant to Lots 1 and 3 over the drainage easement marked "Drainage Easement 2.00 wide B C" hereon



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



40649

Lot 3 is TOGETHER WITH a right of drainage ~~(appurtenant to Lot 1)~~ over the drainage easement marked "Drainage Easement 2.00 wide A B and C D" hereon

Lot 2 is TOGETHER WITH a right of drainage ~~(appurtenant to Lot 1)~~ over the drainage easement marked "Drainage Easement 2.00 wide C D" hereon

Lots 1 and 3 are TOGETHER WITH a right of drainage ~~(appurtenant to Lot 2)~~ over the drainage easement marked "Drainage Easement 2.00 wide B C" hereon

SIGNED by MONTAGUE CHARLES BLACKBERRY and)

ESTHER JEAN BLACKBERRY as registered)

Proprietor of the land comprised in)

Folio of the Register Volume ~~2590~~ Folio ~~61~~)

in the presence of:)

M. C. Blackberry
E. J. Blackberry

W. Kent
Don't think
can we do

ATLANTA AND NEW ZEALAND
PROPERTY GROUP LIMITED by
its Attorney
POWER
OF ATTORNEY NO. ~~50~~ 18529
[Signature]



SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



40649

This is the schedule of easements attached to the plan of MONNEVE CHARLES BLACKBURN
(Insert Subdivider's Full Name)

J. ESTHER JONN BLACKBURN affecting land in

C.T. VOL 2590 FOL 61
(Insert Title Reference)

Sealed by MUNICIPALITY OF WILMUN on 10th July 1989

Solicitor's Reference [Signature]
Council Clerk/Town Clerk

05.4.3134

pitt&sherry

Specialist Knowledge.
Practical Solutions.

7 September 2023

General Manager
Meander Valley Council
planning@mvc.tas.gov.au

Dear Sir / Madam

Planning Permit Application for the Birralelee Road Upgrades (Stage 2: Between Selbourne Road and Frankford Road)

We would be very grateful if Meander Valley Council (MVC) could consider this cover letter and enclosed documents as a planning permit application for road upgrades to Birralelee Road (Stage 2: Between Selbourne Road and Frankford Road). The Department of State Growth (State Growth) intend to upgrade the road by widening it between Selbourne Road and Frankford Road. The information contained in this letter demonstrates that the areas that require a planning permit comply with the applicable provisions of the Tasmanian Planning Scheme – Meander Valley (the planning scheme), and that MVC can approve the application.

1. Strategic Rationale

The proposed road upgrades are part of the Australian Government's Roads of Strategic Importance (ROSI) initiative to help connect regional businesses to local and international markets, and better connect regional communities. The project is funded by the Australian Government and the Tasmanian Government.

2. The Proposal

While most of the upgrades are exempt from a planning permit, certain areas of the road upgrades go beyond 3m from the road reserve and require a planning permit. These areas that require approval are:

- Small, narrow areas at the edge of the road that involve the construction of roadside shoulders and drains and the removal of small areas of vegetation; and
- shown in the enclosed proposed plans, shaded magenta.

Post-development, exposed areas at the roadside will be revegetated and typical rural post and wire fences will be constructed on the new boundary of the road. State Growth is in the process of acquiring the land for the new road boundary.

All other road works shown on the proposed plans, which are not shaded magenta, are located within 3m of the road reserve or at a vehicle crossing/junction and are exempt from a planning permit under Clauses 4.2.4 and 4.2.5 of the planning scheme (see subsection 7.2 below). Any impacts arising from the exempt areas cannot be considered by the council when determining the permit application.

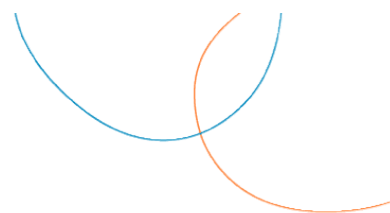
3. Land Acquisition is Not Part of the Planning Permit Application

Land acquisition for the Birralelee Road Upgrades project is not development, it is an administrative procedure under the *Land Acquisition Act 1993*, which will result in modified property boundaries. As this land acquisition is not being processed through subdivision under the *Land Use Planning and Approvals Act 1993*, it does not require a planning

ref: P.20.2000-CIV-DA-Birralelee2-Hwy-Upgrades-LET-Rev00

Page 1 of 15

Document Set ID: 1826311
Version: 1, Version Date: 02/10/2023



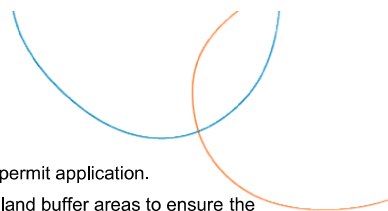
**Pitt & Sherry
(Operations) Pty Ltd**
ABN 67 140 184 309

Phone 1300 748 874
info@pittsh.com.au
pittsh.com.au

Located nationally —
Melbourne
Sydney
Brisbane
Hobart
Launceston
Newcastle
Devonport



12.1.12 Application Documents



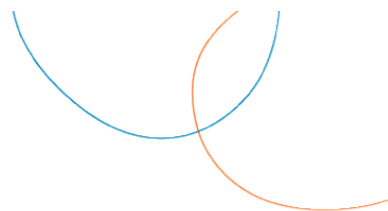
permit, and is not a matter that can be considered by the MVC when determining the permit application.

Road works will not occur on all of the land that is to be acquired. There will be some land buffer areas to ensure the separation of property boundaries/fencing to trafficable lanes. Road works will only occur within the road reserve and up to 3m beyond (exempt), vehicle crossings/junctions (exempt), and on the land specifically identified in the magenta-shaded areas of the proposed plans (permit-required). Once the land has been acquired, like-for-like (typically 1.2m high rural-style post and wire) fences will be constructed on the new property boundaries. These fences will be exempt from a planning permit under Clause 4.6.3 (c).

4. Property Details

The areas that require a planning permit are located on the land parcels detailed in the table below and in the enclosed plans.

| Address | PID | Title Ref | Land Tenure |
|---|---------|-----------|------------------|
| 744 Birralee Road, Westbury, TAS 7303 | 7031184 | 142529/1 | Private Freehold |
| 943 Birralee Road, Westbury, TAS 7303 | 2680695 | 101557/1 | Private Freehold |
| 1210 Birralee Road, Birralee, TAS 7303 | 7031264 | 230999/1 | Private Freehold |
| 1210 Birralee Road, Birralee, TAS 7303 | 7031264 | 103182/1 | Private Freehold |
| 1210 Birralee Road, Birralee, TAS 7303 | 7031264 | 109124/1 | Private Freehold |
| 1410 Birralee Road, Birralee, TAS 7303 | 2200217 | 122109/1 | Private Freehold |
| 1470 Birralee Road, Birralee, TAS 7303 | 7564183 | 32059/2 | Private Freehold |
| 1471 Birralee Road, Birralee, TAS 7303 | 7564167 | 32059/1 | Private Freehold |
| 1517 Birralee Road, Birralee, TAS 7303 | 7414038 | 29735/1 | Private Freehold |
| 1510 Birralee Road, Birralee, TAS 7303 | 7414011 | 29735/3 | Private Freehold |
| 1574 Birralee Road, Birralee, TAS 7303 | 7639966 | 40649/3 | Private Freehold |
| 44 Delantys Road, Birralee, TAS 7303 | 2235049 | 112822/1 | Private Freehold |
| 1663 Birralee Road, Birralee, TAS 7303 | 1725089 | 124701/1 | Private Freehold |
| 1751 Birralee Road, Birralee, TAS 7303 | 7178979 | 85318/5 | Private Freehold |
| Birralee Road, Birralee, TAS 7303 | 7031416 | 7684/1 | Private Freehold |
| 1554 Birralee Road, Birralee, TAS, 7303 | 7639990 | 40649/2 | Private Freehold |



5. Construction Management

State Growth requires all contractors to prepare a Construction Quality Plan that includes a Construction Environmental Management Plan (CEMP), demonstrating compliance with best practice guidelines and relevant legislation and regulation. The CEMP must be compliant with the State Growth's Road Construction Specifications. CEMPs are reviewed and approved by State Growth prior to commencement of works to ensure the contractor has effectively identified, ascribed and accounted for construction related environmental risks, and has necessary systems and processes in place to effectively mitigate risk and respond to and report environmental incidents and emergency scenarios. Additionally, all construction contractors working for State Growth must be prequalified under a national prequalification system and have ISO 14001 certification. Erosion and sediment control is managed through the CEMP.

6. Natural Values Assessment

Although the applicable planning scheme provisions do not specifically require the submission of a Natural Values Assessment (NVA), State Growth have provided the enclosed NVA and can advise that the road upgrades will be carried out in accordance with the recommendations to:

- prepare and implement a Vegetation Management Plan;
- prepare and implement Weed Management Plan; and
- incorporate measures to protect priority vegetation for the duration of works should in the Construction Environmental Management Plan.

With regard to this planning permit application, the small, narrow areas of road works that require a planning permit will have no significant impacts on the natural values identified in the NVA. The NVA indicates that no trees of habitat value are identified for removal, as all are located outside the limit of works. A review of the NVA and the permit-required areas indicates that the road works in these areas:

- will not result in the removal of threatened species; and
- will have no significant impacts on the following natural assets:
 - Black Sugarloaf Rivulet (Creek); or
 - Reid Creek.

The NVA is used to demonstrate compliance with the Natural Assets Code (subsection 7.11 below).

7. Planning Assessment

7.1 Planning Scheme

The applicable planning scheme is the Tasmanian Planning Scheme – Meander Valley (the planning scheme).

7.2 Applicable Planning Exemptions

The table below presents the applicable exemptions and their effect on the proposal.

| Clause | Exemption | Effect of Exemption on Proposal |
|--------|---|---|
| 4.2.4 | Road Works: Maintenance and repair of roads and upgrading by or on behalf of the road authority which may extend up to 3m outside the road reserve including: | The proposed plans demonstrate that most of the proposed road works are exempt, including: <ul style="list-style-type: none"> • all works within the road reserve (i.e. the Utilities zone); and |

ref: P.20.2000-CIV-DA-Birrallee2-Hwy-Upgrades-LET-Rev00

Page 3 of 15

12.1.12 Application Documents



| | | |
|-------|--|---|
| | <p>(a) widening or narrowing of existing carriageways;</p> <p>(b) making, placing or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping, unless a code relating to historic heritage values or significant trees applies and requires a permit for the use or development; or</p> <p>(c) repair of bridges, or replacement of bridges of similar size in the same or adjacent location.</p> | <ul style="list-style-type: none"> • works up to 3m outside the road reserve. <p>The small, narrow areas of road works, which are more than 3m from the road reserve and require a planning permit are shaded magenta in the proposed plans.</p> |
| 4.2.5 | <p>Vehicle Crossings, Junctions and Level Crossings If:</p> <p>(a) development of a vehicle crossing, junction or level crossing:</p> <ol style="list-style-type: none"> i. by the road or rail authority; or ii. in accordance with the written consent of the relevant road or rail authority; or iii. use of a vehicle crossing, junction or level crossing by a road or railway authority. | <p>All upgrades to existing vehicle crossings and junctions shown on the proposed plans are exempt from a planning permit.</p> |
| 4.6.3 | <p>(c) fences within 4.5m of frontage: Fences (including free-standing walls) within 4.5m of a frontage, if located in in the Utilities Zone and not adjoining a property in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Village Zone and if not more than a height of:</p> <ol style="list-style-type: none"> i. 1.8m above existing ground level if adjoining public land; or ii. 2.1m above existing ground level if not adjoining public land, unless the Local Historic Heritage Code applies and requires a permit for the use or development. | <p>Once the land has been acquired for the road widening, like for like (typically 1.2m high rural-style post and wire) fences will be constructed on the new property boundaries. These fences will be exempt from a planning permit under Clause 4.6.3 (c).</p> |

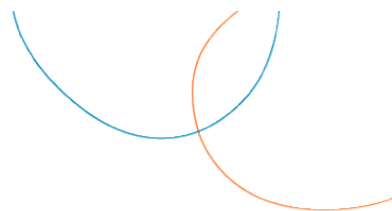
7.3 Land Use

Under the planning scheme, the proposed road upgrades are classified as Utilities, which means land for utilities and infrastructure including:

- a) telecommunications;
- b) electricity generation;
- c) transmitting or distributing gas, oil, or electricity;
- d) transport networks;
- e) collecting, treating, transmitting, storing or distributing water; or
- f) collecting, treating, or disposing of storm or floodwater, sewage, or sullage.

Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retention basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.

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7.4 Planning Zones

As shown in the enclosed proposed plans, the small narrow areas of road works that require a permit are located in the:

- Rural Living Zone, where the Utilities use is a Discretionary use;
- Rural Zone, where the Utilities use is a Permitted use; and
- Agriculture Zone, where the Utilities use is a Discretionary use.

7.5 Planning Overlays

The proposed road upgrades are located in the following overlays:

- Waterway and Coastal Protection Area (Natural Assets Code applies – see subsection 6.11 below);
- Priority Vegetation Area (Natural Assets Code applies – see subsection 6.11 below);
- Bushfire-Prone Areas (Bushfire-Prone Areas Code does not apply – see subsection 6.6 below); and
- Low Landslip Hazard Band (exempt from the Landslip Hazard Code – see subsection 6.6 below).

7.6 Planning Codes

The table below demonstrates which planning scheme codes apply to the proposed development.

| Code | Comment |
|--|---|
| C1.0 Signs Code | Not applicable. |
| C2.0 Parking and Sustainable Transport Code | Applicable to all use and development but has no relevance to the proposed road upgrades. |
| C3.0 Road and Railway Assets Code | Not applicable under C3.2 Application of this Code because the proposed road upgrades will: <ul style="list-style-type: none"> (a) not increase the amount of vehicular traffic or the number of movements of vehicles longer than 5.5m using an existing vehicle crossing or private level crossing; (b) not require a new vehicle crossing, junction or level crossing; and (c) does not involve a subdivision or habitable building within a road or railway attenuation area if for a sensitive use. |
| C4.0 Electricity and Transmission Infrastructure Protection Code | Not applicable. |
| C5.0 Telecommunications Code | Not applicable. |
| C6.0 Local Historic Heritage Code | Not applicable. |
| C7.0 Natural Assets Code | Applies – see subsection 7.11 below |
| C8.0 Scenic Protection Code | Not applicable. |
| C9.0 Attenuation Code | Not applicable. |
| C10.0 Coastal Erosion Hazard Code | Not applicable. |
| C11.0 Coastal Inundation Hazard Code | Not applicable. |
| C12.0 Flood-Prone Area Hazards Code | Not applicable. |
| C13.0 Bushfire-Prone Areas Code | Not applicable under Clause C13.2.1, for the following reasons: |

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| Code | Comment |
|--|---|
| | (a) The permit application does not include subdivision; and (b) The proposed Utilities use is not categorised as a vulnerable use or a hazardous use. |
| C14.0 Potentially Contaminated Land Code | Not applicable. |
| C15.0 Landslip Hazard Code | The proposed use and development is exempt under Clause C15.4.1 (a) and (e). |
| C16.0 Safeguarding of Airports Code | Not applicable. |

7.7 Requirement for a Planning Permit

The proposal requires a planning permit is required for the following reasons:

- the Utilities use is a Discretionary use in the Rural Living Zone and the Agriculture Zone;
- the Utilities use is a Permitted use in the Rural Zone; and
- the proposal relies on compliance with the performance criteria, as demonstrated in the subsections below.

A Discretionary level of assessment applies to the planning permit application.

7.8 Rural Living Zone

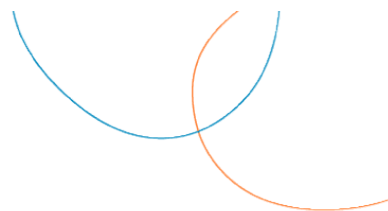
All road works in this zone that are within 3m of the road reserve are exempt from a planning permit.

Several small, narrow areas of road works (portions of roadside shoulders and drains) are located more than 3m outside the road reserve in this zone. The assessment below demonstrates that these narrow areas of road works are consistent with the purpose of the zone, and comply with the zone's applicable standards.

7.8.1 Zone Purpose

| Zone Purpose | Assessment |
|--|---|
| 11.1.1 To provide for residential use or development in a rural setting where: (a) services are limited; or (b) existing natural and landscape values are to be retained. | As the proposed Utilities is not a residential use, 11.1.1 is not applicable. |
| 11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity. | As the proposed Utilities is not an agricultural use, 11.1.2 is not applicable. |
| 11.1.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts. | As the proposed upgrades that require a permit in this zone are comprised of relatively small, narrow portions roadside shoulders and drains, the proposal is consistent with 11.1.3. |
| 11.1.4 To provide for Visitor Accommodation that is compatible with residential character. | As the proposed Utilities use is not Visitor Accommodation, 11.1.4 is not applicable. |

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7.8.2 Use Standards

The following standards do not apply:

- 11.3.1 Discretionary uses:
 - A1/P1 (the proposed small narrow areas of roadside shoulders and drains that require a permit will not accommodate vehicle movements and will not generate noise, lighting or other emissions)
 - A2/P2 (the proposed small narrow areas of roadside shoulders and drains that require a permit will not accommodate lighting);
 - A3/P3 (the proposed small narrow areas of roadside shoulders and drains that require a permit will not accommodate commercial vehicle movements); and
- 11.3.2 Visitor Accommodation (the proposal is for the Utilities use, not Visitor Accommodation).

There are no other use standards.

7.8.3 Development Standards

The following standards do not apply:

- 11.4.1 Site coverage (roofed areas are not proposed);
- 11.4.2 Building height, setback and siting (buildings are not proposed); and
- 11.5 Development Standards for Subdivision (subdivision is not proposed).

There are no other development standards.

7.9 Rural Zone

All road works in this zone that are within 3m of the road reserve are exempt from a planning permit.

Several small, narrow areas of road works (portions of roadside shoulders and drains) are located more than 3m outside the road reserve in this zone. The assessment below demonstrates that these narrow areas of road works are consistent with the purpose of the zone, and comply with the zone's applicable standards.

7.9.1 Zone Purpose

| Zone Purpose | Assessment |
|--|--|
| 20.1.1 To provide for a range of use or development in a rural location: <ul style="list-style-type: none"> (a) where agricultural use is limited or marginal due to topographical, environmental or other site or regional characteristics; (b) that requires a rural location for operational reasons; (c) is compatible with agricultural use if occurring on agricultural land; (d) minimises adverse impacts on surrounding uses. | As the proposed road upgrades that require a permit are relatively small, narrow portions of agricultural land adjacent the existing road, the proposal is consistent with 20.1.1. |
| 20.1.2 To minimise conversion of agricultural land for non-agricultural use. | As the proposed road upgrades that require a permit are relatively small, narrow portions of agricultural land adjacent the existing road, which will be converted to |

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| | the Utilities use, the proposal is consistent with 20.1.2. |
| 20.1.3 To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements. | As the proposed road upgrades that require a permit are relatively small, narrow portions of agricultural land adjacent the existing road, the proposal is consistent with 20.1.3. |

7.9.2 Use Standards

As the proposed Utilities use is a Permitted use, Clause 20.3.1 Discretionary use does not apply.

There are no other Use Standards.

7.9.3 Development Standards

The following development standards do not apply:

- 20.4.1 Building height (buildings are not proposed);
- 20.4.2 Setbacks (buildings are not proposed);
- 20.4.3 Access for new dwellings (dwellings are not proposed);
- 20.5 Development Standards for Subdivision (subdivision is not proposed).

There are no other development standards.

7.10 Agriculture Zone

All road works in this zone that are within 3m of the road reserve are exempt from a planning permit.

Several small, narrow areas of road works (portions of roadside shoulders and drains) are located more than 3m outside the road reserve in this zone. The assessment below demonstrates that these narrow areas of road works are consistent with the purpose of the zone, and comply with the zone's applicable standards.

7.10.1 Zone Purpose

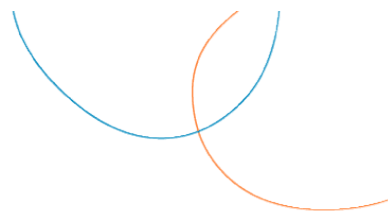
| Zone Purpose | Assessment |
|---|---|
| 21.1.1 To provide for the use or development of land for agricultural use. | As the proposed road upgrades that require a permit are relatively small, narrow portions of agricultural land adjacent the existing road, and will only result in the removal of a relatively minor area of agricultural land, the proposal will not conflict with 21.1.1. |
| 21.1.2 To protect land for the use or development of agricultural use by minimising: a. conflict with or interference from non-agricultural uses; b. non-agricultural use or development that precludes the return of the land to agricultural use; and c. use of land for non-agricultural use in irrigation districts. | As the proposed road upgrades that require a permit are relatively small, narrow portions of agricultural land adjacent the existing road and will only result in the removal of a relatively minor area of agricultural land, the proposal will not conflict with 21.1.2. |
| 21.1.3 To provide for use or development that supports the use of the land for agricultural use. | The proposed road upgrades are aimed at enhancing the connection of regional businesses to local and international markets, which will support agriculture in this zone and is consistent with 21.1.3. |

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7.10.2 Use Standards

The following Use Standards do not apply:

- 27.3.3 Discretionary Use:
 - A3/P3 (the road upgrades, which require a permit, are all located on Class 4 Agricultural Land, which is not prime agricultural land); and
 - A4/P4 (the proposed Utilities use is not a Residential use).

| 27.3.3 Discretionary Use | |
|--|---|
| Objective: That uses listed as Discretionary: | |
| (a) support agricultural use; and (b) protect land for agricultural use by minimising the conversion of land to non-agricultural use. | |
| Acceptable Solution | Performance Criteria |
| A1 There is no acceptable solution. | P1 A use listed as Discretionary, excluding Residential or Resource Development, must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to: <ul style="list-style-type: none"> (a) access to a specific naturally occurring resource on the site or on land in the vicinity of the site; (b) access to infrastructure only available on the site or on land in the vicinity of the site; (c) access to a product or material related to an agricultural use; (d) service or support for an agricultural use on the site or on land in the vicinity of the site; (e) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and (f) provision of essential Emergency Services or Utilities. |
| Assessment This standard only applies to the small, narrow areas of road works in this zone that are more than 3m from the road reserve and require a permit. All other road works in this zone are exempt. The proposal complies with P1 for the following reasons: <ul style="list-style-type: none"> (a) The proposed road upgrades are part of an existing road network that enables freight and other traffic to access the adjoining area's natural resources for business purposes; (b) The road upgrades are improvements to existing road infrastructure; (c) The proposed road upgrades are part of an existing road network that enables freight and other traffic access to material related to agricultural uses in the area; (d) The proposed road upgrades are part of an existing road network that enables freight and other traffic to service and support agricultural uses in the area; (e) The proposed road upgrades are part of an existing road network that enables freight and other traffic to support the value adding of agricultural uses in the area; (f) The proposed road upgrades improve an existing Utilities service (the road network). | |
| A2 There is no acceptable solution. | P2 A use listed as Discretionary, excluding Residential, must minimise the conversion of agricultural land to non-agricultural use, having regard to: <ul style="list-style-type: none"> (a) the area of land being converted to non-agricultural use; (b) whether the use precludes the land from being returned to an |

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| | agricultural use; (c) whether the use confines or restrains existing or potential agricultural use on the site or adjoining sites. |
| Assessment This standard only applies to the small, narrow areas of road works in this zone that are more than 3m from the road reserve and require a permit. All other road works in this zone are exempt. The proposal complies with P2 for the following reasons: (a) Only small narrow areas of agricultural land adjoining the existing road will be converted to the Utilities use; (b) Once developed it is likely that these small areas of land will not be returned to agricultural use; and (c) The proposed road upgrades are comprised of small areas adjoining the road, which will not confine or restrain existing or potential agricultural use on the site or adjoining sites. | |

7.10.3 Development Standards

The following development standards are not applicable:

- 21.4.1 Building height (no buildings are proposed);
- 21.4.2 Setbacks (no buildings are proposed);
- 21.4.3 Access for new dwellings (no dwellings are proposed); and
- 21.5 Development Standards for Subdivision (no subdivision is proposed).

There are no other development standards.

7.11 Natural Assets Code

All road works that are within 3m of the road reserve and are located in the Waterway and Coastal Protection Area or the Priority Vegetation Area are exempt from a planning permit.

Several narrow areas of road works are located more than 3m outside the road reserve and are in the Waterway and Coastal Protection Area and/or the Priority Vegetation Area.

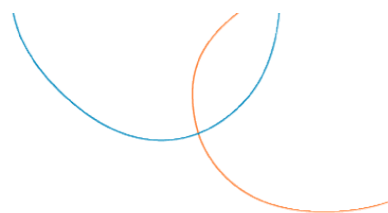
The assessment below demonstrates that these narrow areas of road works comply with the applicable use and development standards. As these road works comply with the applicable standards, they can reasonably be considered to be consistent with the purpose of this code, which is to:

- 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.

7.11.1 Use Standards

There are no Use Standards under this code.

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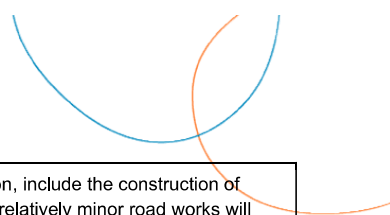
7.11.2 Development Standards

The following Development Standards do not apply:

- C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area:
 - P1.2 (no works are proposed in tidal waters);
 - A2/P2 (no works are proposed within a future coastal refugia are);
 - A4.1/P4.1/P4.2 (dredging works are not proposed);
 - A5/P5 (the proposal does not include coastal protection works or watercourse erosion or inundation protection works)
- C7.7 Development Standards for Subdivision (subdivision is not proposed).

| C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area | |
|---|---|
| Objective: That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets | |
| Acceptable Solution | Performance Criteria |
| <p>A1</p> <p>Buildings and works within a waterway and coastal protection area must:</p> <p>(a) be within a building area on a sealed plan approved under this planning scheme;</p> <p>(b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or</p> <p>(c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.</p> | <p>P1.1</p> <p>Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:</p> <p>(a) impacts caused by erosion, siltation, sedimentation and runoff;</p> <p>(b) impacts on riparian or littoral vegetation;</p> <p>(c) maintaining natural streambank and streambed condition, where it exists;</p> <p>(d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</p> <p>(e) the need to avoid significantly impeding natural flow and drainage;</p> <p>(f) the need to maintain fish passage, where known to exist;</p> <p>(g) the need to avoid land filling of wetlands;</p> <p>(h) the need to group new facilities with existing facilities, where reasonably practical;</p> <p>(i) minimising cut and fill;</p> <p>(j) building design that responds to the particular size, shape, contours or slope of the land;</p> <p>(k) minimising impacts on coastal processes, including sand movement and wave action;</p> <p>(l) minimising the need for future works for the protection of natural assets, infrastructure and property;</p> <p>(m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</p> <p>(n) the guidelines in the Tasmanian Coastal Works Manual.</p> |
| <p>Assessment</p> <p>This standard only applies to the small, narrow portions of road works that are located in the Waterway and Coastal Protection Area and are more than 3m from the road reserve. All other road works in the Waterway and Coastal Protection Area are exempt from a permit.</p> | |

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| <p>The permit-required areas, which are located in the Waterway and Coastal Protection, include the construction of roadside shoulders and drains and the removal of small areas of vegetation. These relatively minor road works will have no significant impacts on the following natural assets:</p> <ul style="list-style-type: none"> • Black Sugarloaf Creek (see the permit-required areas and the Waterway and Coastal Protection Overlay on Sheet 254 of the proposed plans); and • Reids Creek (see the permit-required areas and the Waterway and Coastal Protection Overlay on Sheet 258 of the proposed plans). <p>A review of the NVA and the permit-required areas indicates that there will be no significant impacts on these natural assets for the following reasons:</p> <ul style="list-style-type: none"> • Only minor road works are proposed in the small, narrow permit-required areas in the Waterway and Coastal Protection Area; and • the development will be carried out in accordance with a: <ul style="list-style-type: none"> ○ Vegetation Management Plan; ○ Weed Management Plan; and ○ Construction Environmental Management Plan. <p>The proposal satisfies P1.1 for the following reasons:</p> <ul style="list-style-type: none"> (a) the small narrow areas of road works will not result in significant erosion, siltation, sedimentation or runoff; (b) the small narrow areas of road works will not result in significant impacts on riparian or littoral vegetation; (c) the small narrow areas of road works will not result in significant impacts on natural streams; (d) the small narrow areas of road works will not in significant impacts on in-stream natural habitat; (e) the small narrow areas of road works will not significantly impede natural flow and drainage; (f) the small narrow areas of road works will have no impacts on fish; (g) the small narrow areas of road works will not result in land filling of wetlands; (h) the small narrow areas of road works will adjoin the existing road; (i) the small narrow areas of road works will not result in significant cut and fill; (j) buildings are not proposed; (k) the works will not affect coastal processes; (l) the small narrow areas of road works will not significantly impact on natural assets, infrastructure or property; (m) the works will be carried out in accordance with the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and (n) the works will be carried out in accordance with the guidelines in the Tasmanian Coastal Works Manual. | |
| <p>A3 Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p> | <p>P3 Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) the need to minimise impacts on water quality; and (b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff. |
| <p>Assessment</p> <p>This standard only applies to the small, narrow portions of road works that are located in the Waterway and Coastal Protection Area and are more than 3m from the road reserve. All other road works in the Waterway and Coastal Protection Area are exempt from a permit.</p> <p>As the proposed development will maintain existing drainage routes, the proposal complies with A3.</p> | |

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| C7.6.2 Clearance within a priority vegetation area | |
|--|---|
| <p>Objective: That clearance of native vegetation within a priority vegetation area:</p> <p>(a) does not result in unreasonable loss of priority vegetation;</p> <p>(b) is appropriately managed to adequately protect identified priority vegetation; and</p> <p>(c) minimises and appropriately manages impacts from construction and development activities.</p> | |
| Acceptable Solution | Performance Criteria |
| <p>A1</p> <p>Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme.</p> | <p>P1.1</p> <p>Clearance of native vegetation within a priority vegetation area must be for:</p> <p>(a) 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;</p> <p>(b) buildings and works associated with the construction of a single dwelling or an associated outbuilding;</p> <p>(c) subdivision in the General Residential Zone or Low Density Residential Zone;</p> <p>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</p> <p>(e) 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</p> <p>(f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</p> <p>P1.2</p> <p>Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <p>(a) the design and location of buildings and works and any constraints such as topography or land hazards;</p> <p>(b) any particular requirements for the buildings and works;</p> <p>(c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;</p> <p>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</p> <p>(e) any on-site biodiversity offsets; and</p> <p>(f) any existing cleared areas on the site.</p> |
| <p>Assessment</p> <p>This standard only applies to the small, narrow portions of road works that are located in the Priority Vegetation Area and are more than 3m from the road reserve. All other road works in the Priority Vegetation Area are exempt from a permit.</p> <p>The permit-required areas, which are located in the Priority Vegetation Area, include the construction of roadside shoulders and drains and the removal of small areas of vegetation. A review of the proposed plans and the NVA indicates that these minor road works will result in:</p> <ul style="list-style-type: none"> • a minor amount of <i>Eucalyptus amygdalina inland</i> forest and woodland on Cainozoic deposits will be removed (see panel 6 of NVA and the permit-required areas in the Priority Vegetation Overlay on Sheet 254 of the proposed plans); • a minor amount of regenerating cleared land and <i>Eucalyptus amygdalina</i> forest and woodland on dolerite that will require removal (see panel 8 of NVA and the permit-required areas in the Priority Vegetation Overlay on Sheet 256 of the proposed plans); | |

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- no specific trees have been identified for removal from the *Eucalyptus ovata* forest and woodland (see panel 9 and 10 of the NVA and the permit-required areas in the Priority Vegetation Overlay on Sheet 258 of the proposed plans).

A review of the NVA and the permit-required areas indicates that there will be no significant impacts on native vegetation within a priority vegetation area for the following reasons:

- only minor road works are proposed in the permit-required areas in the Priority Vegetation Area; and
- the development will be carried out in accordance with a:
 - Vegetation Management Plan;
 - Weed Management Plan; and
 - Construction Environmental Management Plan, including with measures to protect priority vegetation for the duration of the works.

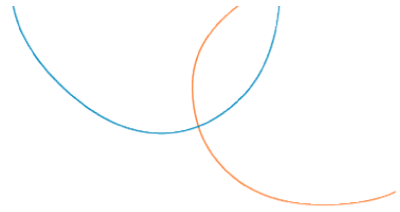
The small, narrow areas of road works that require a permit, satisfy P1.1 for the following reasons:

- (a) The proposal is for an extension to the road, which is an existing use on the site. The use does not require clearance of vegetation recommended by the Tasmanian Fire Service or an accredited person;
- (b) The proposed works are not associated with the construction of a single dwelling or an associated outbuilding;
- (c) The proposal is not for subdivision in the General Residential Zone or Low Density Residential Zone;
- (d) The proposed road upgrades will improve road safety and access to the region, which will result in significant long term social and economic benefits. As upgrades to an existing highway is proposed, there is no feasible alternative location or design;
- (e) The vegetation that will be removed for the small narrow areas of roadside shoulders and drains there will have no significant impacts on native vegetation within a priority vegetation area.
- (f) It is proposed to remove native vegetation from the roadside, which is of limited scale relative to the extent of priority vegetation on the adjoining land.

The proposal complies with P1.2 for the following reasons:

- (a) As the proposed works are adjacent to the road or on existing cleared areas, the minor extent of the works, along with their design and location will minimise adverse impacts on priority vegetation;
- (b) The proposed works will not result in any particular design requirements that will affect the adjacent areas of priority vegetation;
- (c) The proposed road works, which are categorised as the Utilities use, do not require any bushfire hazard management measures;
- (d) Due to the relatively minor extent of the proposed works, there is no requirement for any mitigation measures implemented to minimise the residual impacts on priority vegetation;
- (e) Due to the relatively minor extent of the proposed works, there is no requirement for on-site biodiversity offsets; and
- (f) Significant portions of the proposed works will occur on any existing cleared areas on the site.

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7.12 Conclusion

As the proposed road upgrades comply with the applicable requirements of the planning scheme, the permit application can be approved.

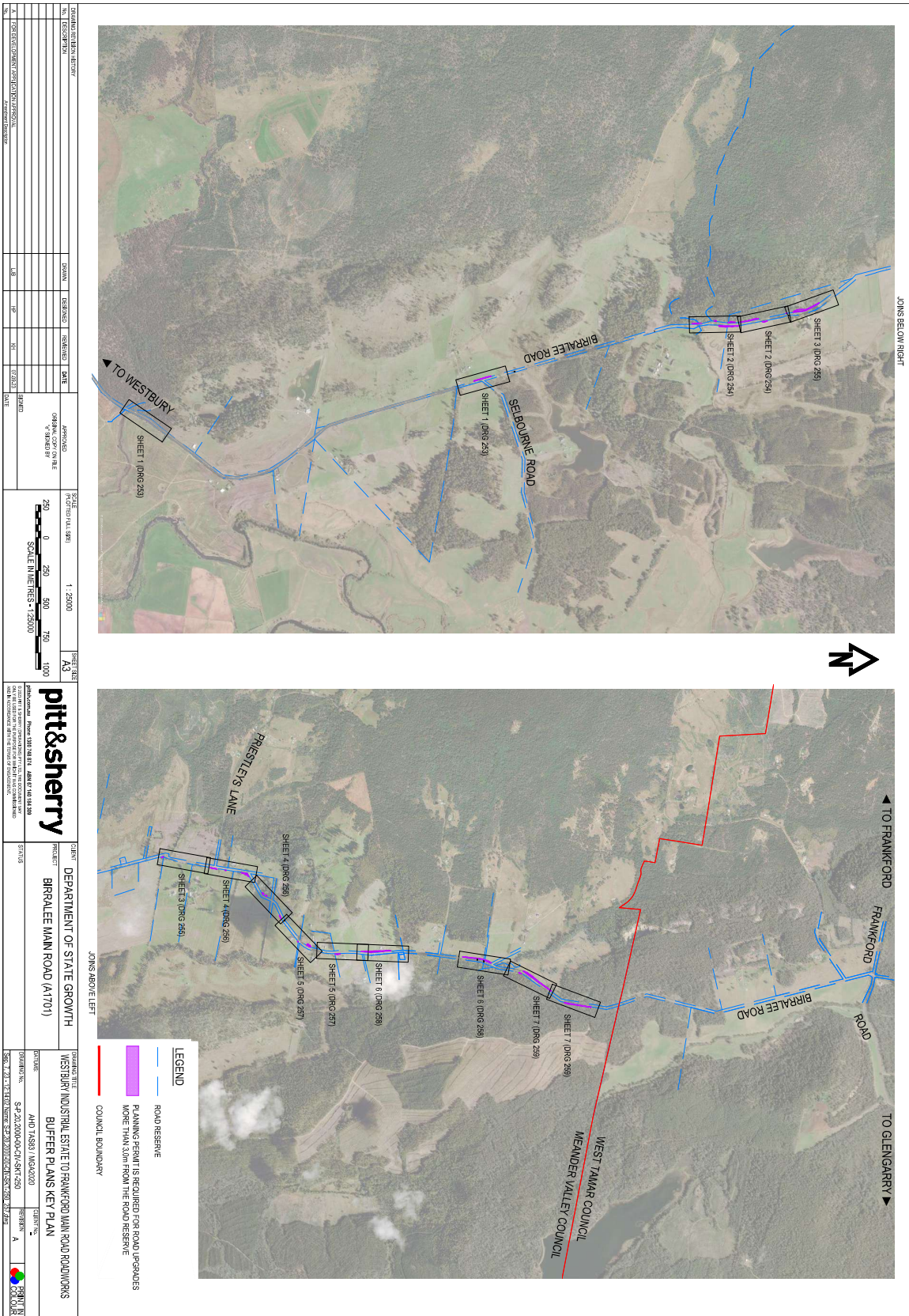
Yours sincerely

Doug Fotheringham

Principal Planner
pitt&sherry

Enc. Proposed Plans
Natural Values Assessment

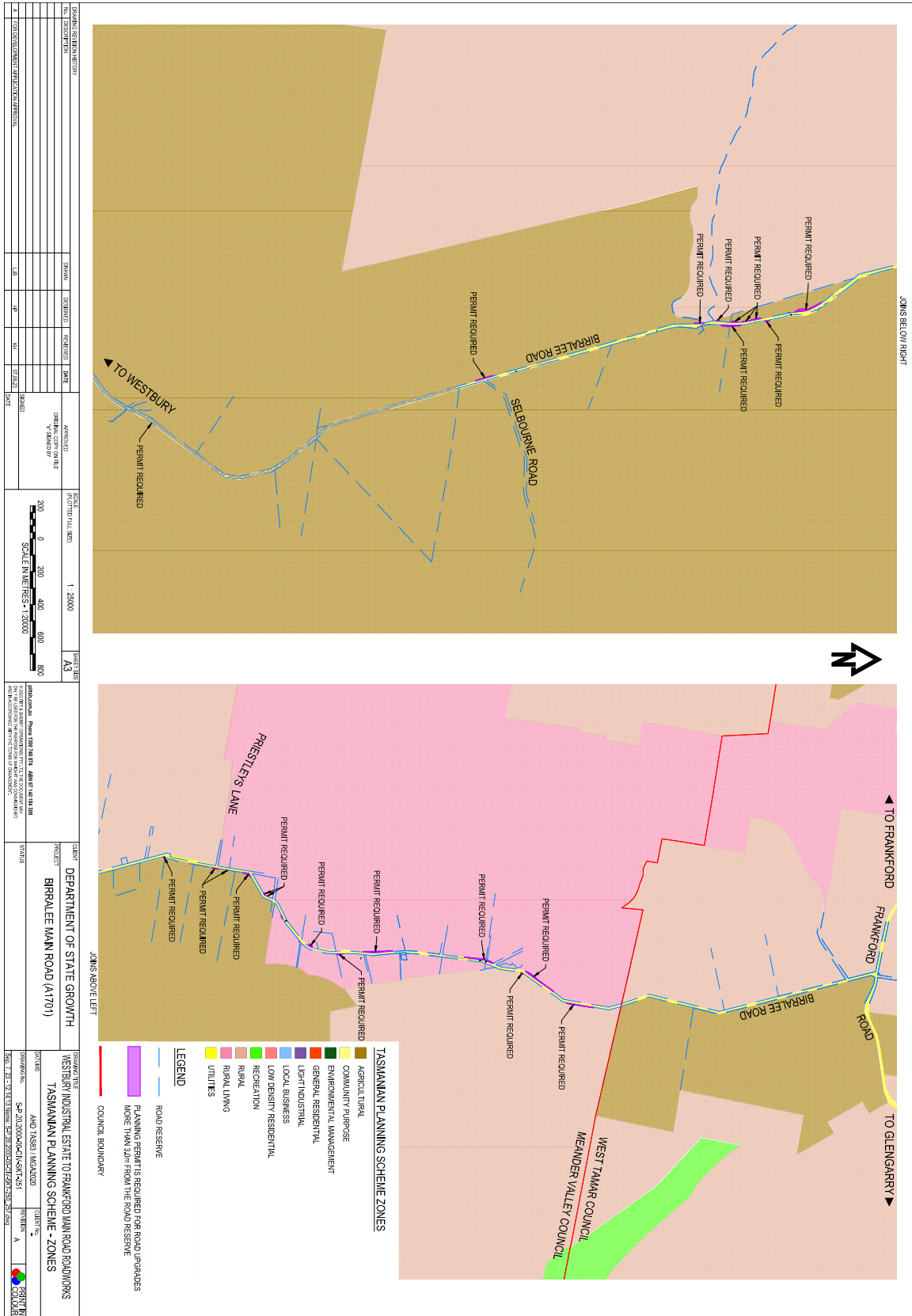
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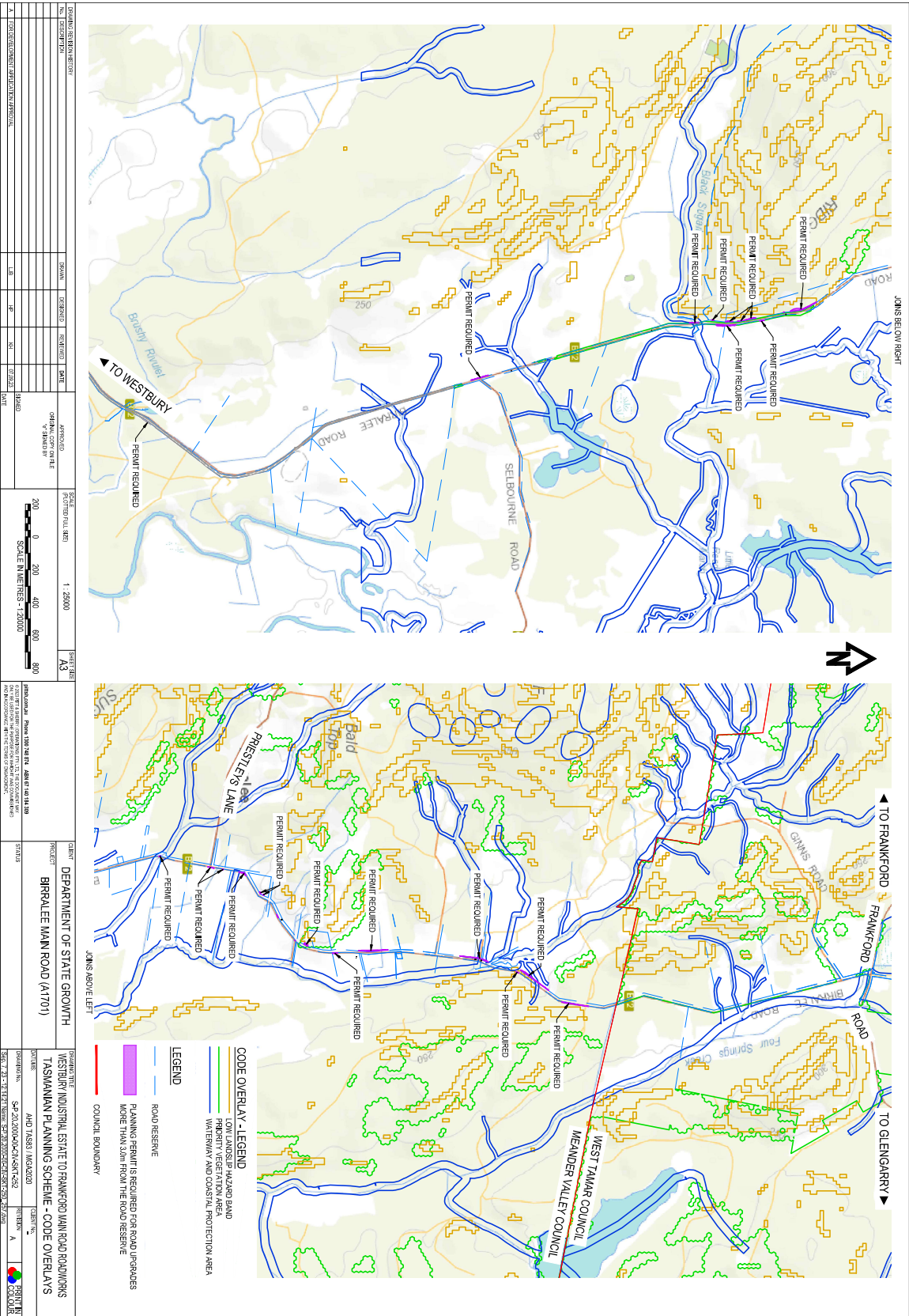
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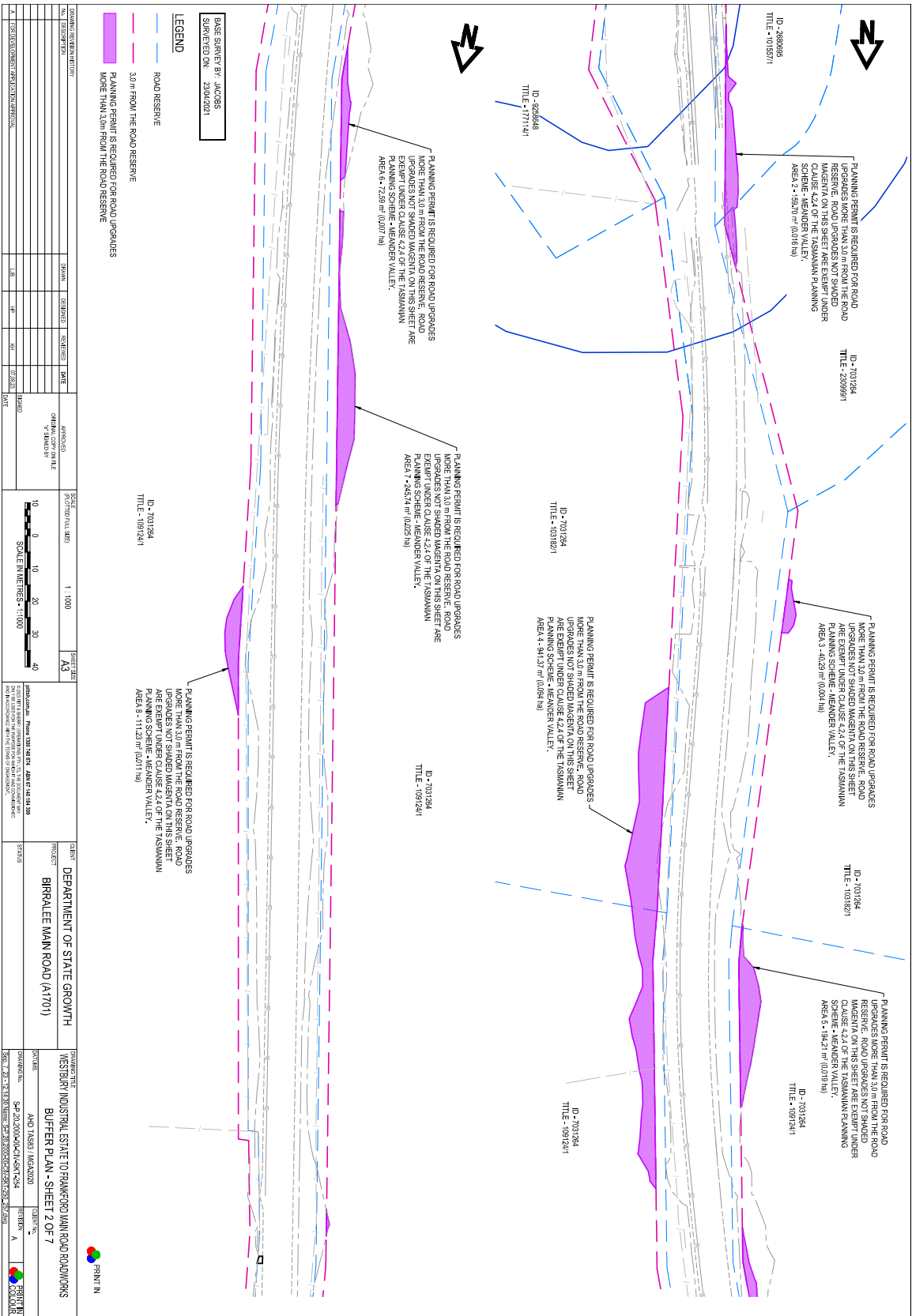


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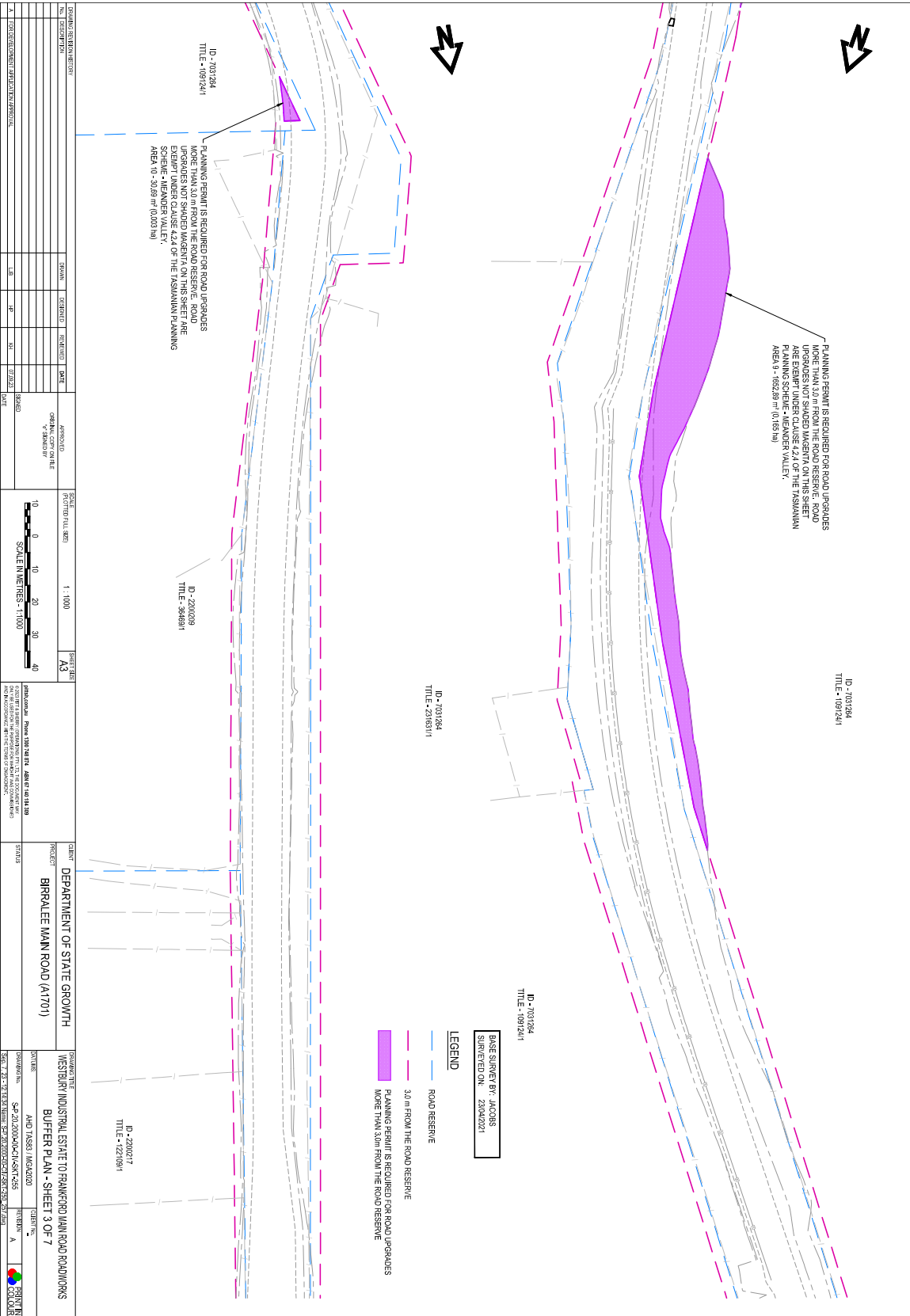
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| 1 | FOR ROAD UPGRADE AND ROAD RESERVE | 18 | 20 | 02/10/23 | DATE | 1:1000 | A3 |

| CLIENT | PROJECT | STAGE |
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| DEPARTMENT OF STATE GROWTH | BIRPALEE MAIN ROAD (A1701) | STAGE 2 |

| ROADS/TITLE | DATE | BY |
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| WESTBURY INDUSTRIAL ESTATE TO FRANKFORD MAIN ROAD ROADWORKS BUFFER PLAN - SHEET 2 OF 7 | 2023/06/06 | JACOBSON |

| DATE | BY | REVISION |
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| 2023/06/06 | JACOBSON | ISSUED |



PLANNING PERMIT IS REQUIRED FOR ROAD UPGRADES MORE THAN 3.0 m FROM THE ROAD RESERVE. ROAD UPGRADES NOT SHADOW MANAGED ON THIS SHEET. PLANNING PERMIT UNDER CLAUSE 4.2.4 OF THE TASMANIAN PLANNING SCHEME - MEANDER VALLEY. AREA 9 - (662.89 m²/0.165 ha)

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TITLE - 1091241

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TITLE - 1091241

- LEGEND**
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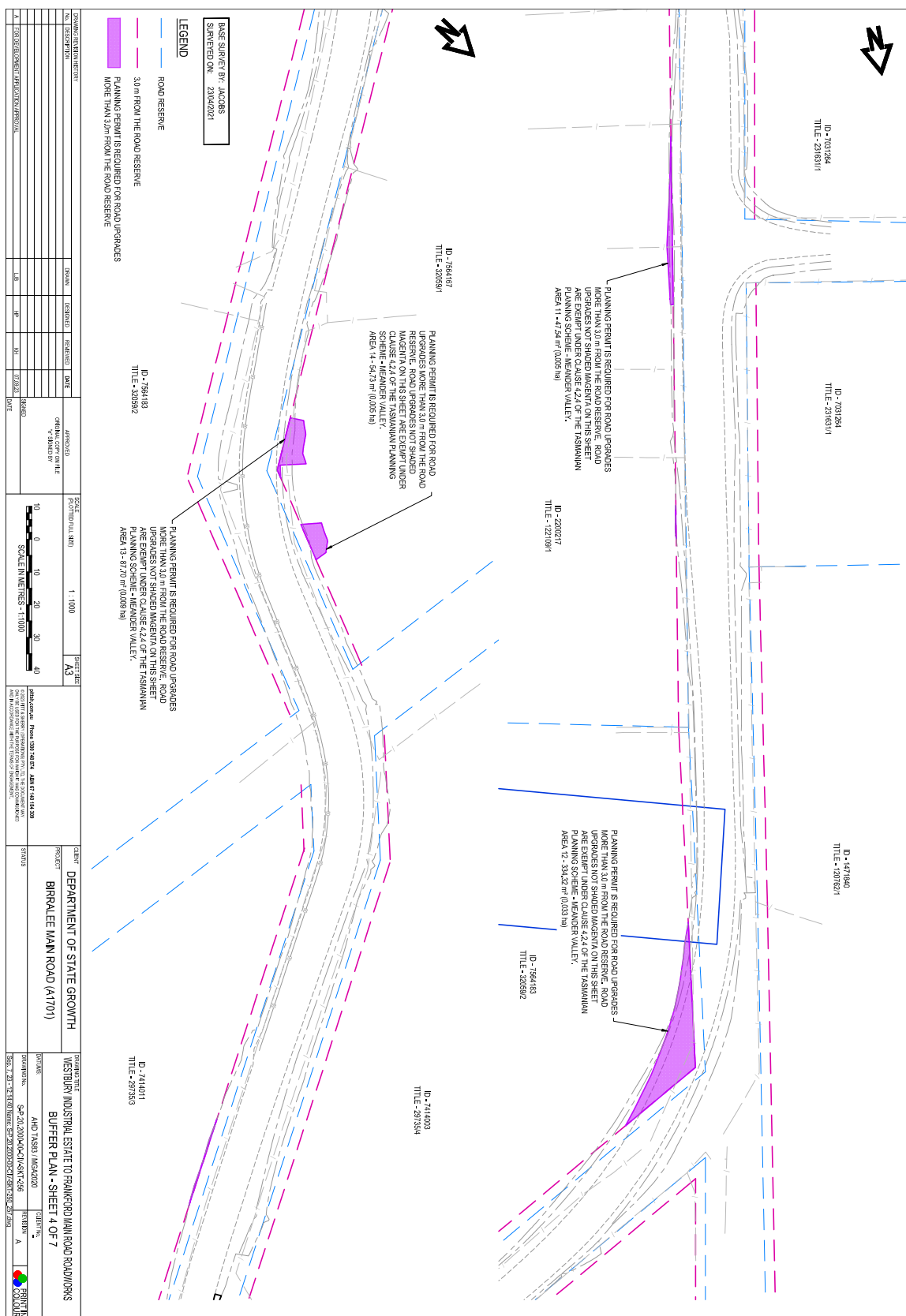
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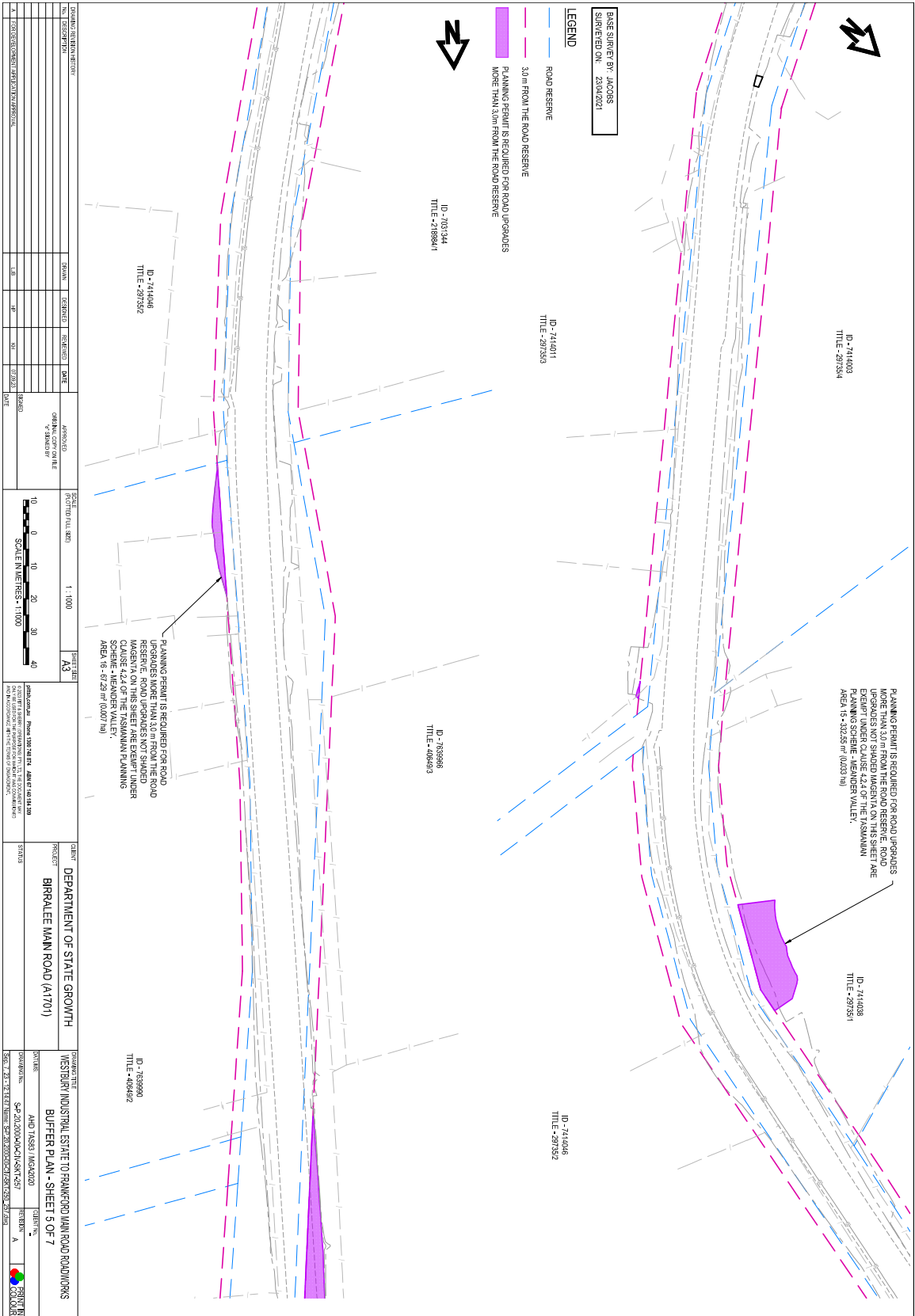
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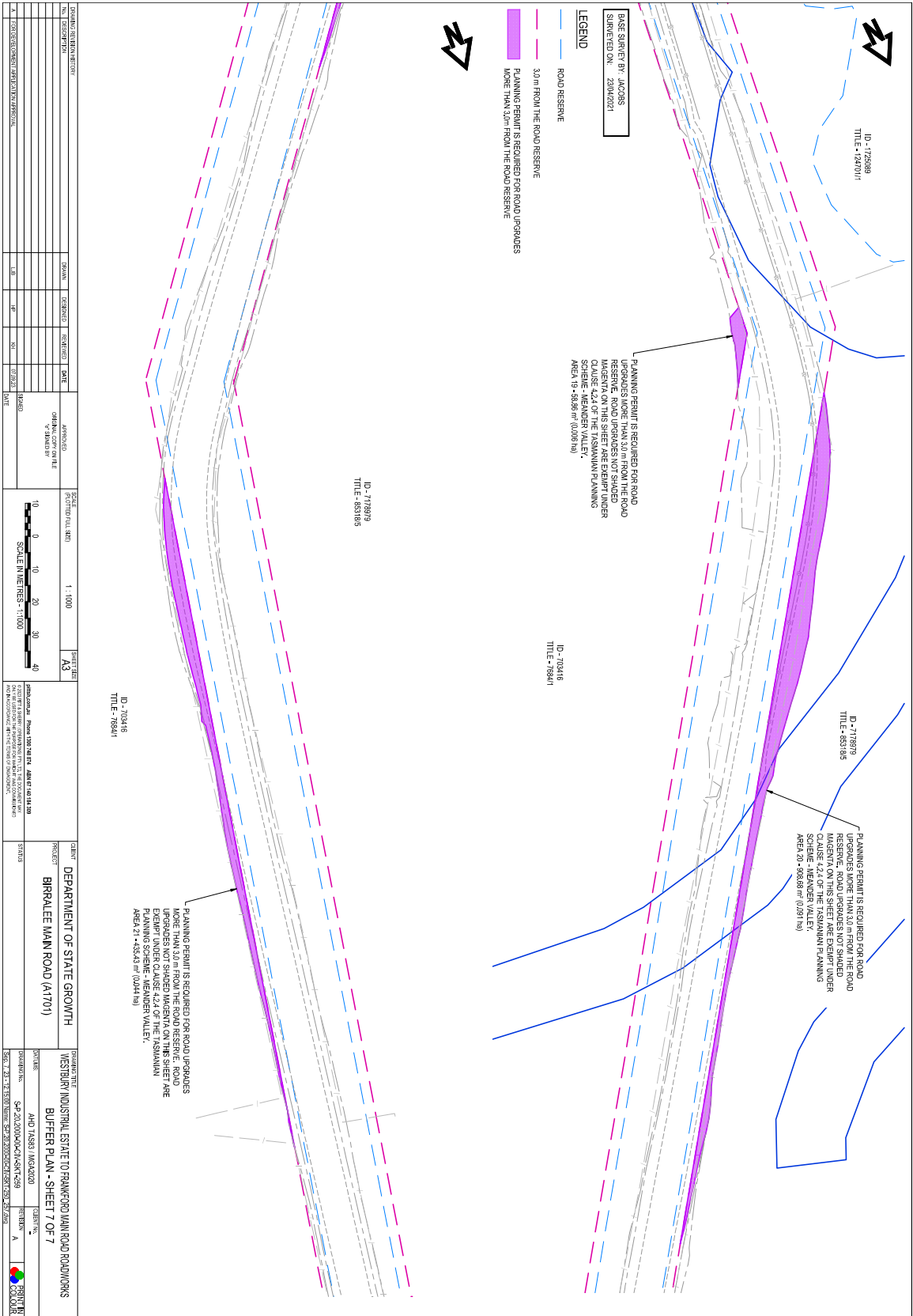
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Northern Roads Stage 3
Birralelee and Frankford Road

Natural Values Assessment

For Pitt and Sherry

Obo Department of State Growth

25th August 2022

PAS124



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Summary

The Department of State Growth (State Growth) have a concept design for the widening of the Birralees Road and Frankford Road (between Birralees Road and Exeter). This forms stage 3 of the Northern Roads Package which aims to improve safety and efficiency of these roads, and meet the heavy vehicle needs on this key freight route. The works include shoulder widening, sealing, and surface upgrades. To inform the planning approvals process an assessment of the impacts to natural values has been undertaken.

The study area includes a 10 m buffer of the road width beginning at Roxford Avenue, approximately 300 m north of the Tasmanian Alkaloids facility, and following the Birralees Road north until it meets Frankford Road. The study area then extends eastwards to Main Road (West Tamar Highway), Exeter. The study area covers a total area of 98.95 ha.

Vegetation

The following native vegetation communities occur within the study area:

- *Eucalyptus amygdalina* forest and woodland on dolerite (DAD) – 3.00 ha
- *Eucalyptus amygdalina* inland forest and woodland on Cainozoic deposits (DAZ) – 1.57 ha
- *Eucalyptus obliqua* dry forest (DOB) – 2.46 ha
- *Eucalyptus ovata* forest and woodland (DOV) – 2.91 ha
- *Eucalyptus amygdalina* – *Eucalyptus obliqua* damp sclerophyll forest (DSC) – 0.25 ha
- *Acacia dealbata* forest – (NAD) – 0.03 ha
- *Melaleuca ericifolia* swamp forest (NME) – 0.10 ha
- Permanent easements (FPE) – 2.51 ha
- Regenerating cleared land (FRG) – 1.09 ha
- Agricultural land (FAG)
- Extra urban miscellaneous (FUM)
- Urban areas (FUR)

The DAZ, DOV, and NME are listed as threatened communities under the Tasmanian *Nature Conservation Act 2002* (NCA).

The remaining communities are not threatened under the NCA.

If certain condition thresholds are met, DOV can qualify as the black gum/Brookers gum forest and woodland community, which is a critically endangered community listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA), however the impact to this community was deemed to be very minor, and further assessment is not warranted.

A small area of conservation covenant intersects the study area at Black Sugarloaf Rivulet.

Threatened Flora

One species listed under the Tasmanian *Threatened Species Protection Act 1995* (TSPA) was recorded from the site:

- Blue pincushion *Brunonia australis* – rare / -

Any impact on threatened plant species listed under the TSPA will require a 'permit to take' from Conservation Assessments at the Department of Natural Resources and Environment.

Approximately 170 plants were recorded in the study area across two sites. One location supporting 70 plants is likely to be impacted.

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Threatened Fauna

No threatened fauna has been confirmed from the study area. The site is not considered to contain any critical habitat elements that are likely to impact the persistence of threatened fauna species within the local area. However, habitat for several species is present.

Species such as the Tasmanian devil, eastern barred bandicoot, Tasmanian masked owl, swift parrot, and eagles, may utilise the site, but the potential for their presence is unlikely to be significantly impacted by the proposal nor to trigger any legislation.

Several large *Eucalyptus* trees with hollow bearing potential occur within a 10 m buffer of the road reserve, one of which contains a large hollows which may provide potential habitat for hollow nesting birds and arboreal mammals. It is our understanding that no trees are proposed to be removed. If removal is necessary, assessment for hollow activity and likely decommissioning of hollows will be required.

The road reserve supports black gums (*Eucalyptus ovata*), which may provide foraging habitat for the critically endangered swift parrot. No trees are proposed to be removed as part of the works. The viability of some trees may be impacted by earthworks within the root zones. The scale of loss and likely time frame is small will not impact on breeding success of swift parrots in the area.

One wedge-tailed eagle nest is known from within 500 m of the study area. This nest was deemed inactive in the 2021/22 season, and has not been reported as active since it was first discovered in 2005.

Weeds

Seven declared weeds have been observed within the study area. All seven of the declared weeds are classed as Zone B species in the council area that they were recorded in.

Recommendations

A permit under the *Threatened Species Protection Act 1995* is required for the removal of up to 70 *Brunonia australis* plants.

Measures to protect priority vegetation for the duration of works should be incorporated into the contract specifications that prescribes measures to create exclusion zones to protect threatened vegetation, threatened flora and priority fauna habitat trees

Weed management should be incorporated into the contract.

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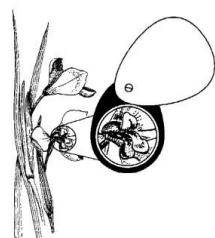
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Natural Values Assessment

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| V1.0 | 03/08-2022 | Jared Parry, addressed DSG comments |
| V1.1 | 25/08/2022 | Andrew North |



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List of Abbreviations and Acronyms

- DAD – *Eucalyptus amygdalina* forest and woodland on dolerite (TASVEG unit)
DAI – *Eucalyptus amygdalina* inland forest (former TASVEG unit)
DAZ – *Eucalyptus amygdalina* forest and woodland on Cainozoic deposits (TASVEG unit)
DBH – Diameter at breast height
DOB – *Eucalyptus obliqua* dry forest (TASVEG unit)
DOV – *Eucalyptus ovata* forest and woodland (TASVEG unit)
DPIPWE – Department of Primary Industries, Parks, Water and the Environment, Tasmania
DSC – *Eucalyptus amygdalina* - *Eucalyptus obliqua* damp sclerophyll forest (TASVEG unit)
EPBCA – *Environment Protection and Biodiversity Conservation Act 1999*
FAG – Agricultural land (TASVEG unit)
FPE – Permanent easement (TASVEG unit)
FRG – Regenerating cleared land (TASVEG unit)
FUM – Extra urban miscellaneous (TASVEG unit)
FUR – Urban areas (TASVEG unit)
GPS – Global positioning system
LUPAA – Tasmanian *Land Use and Planning Approvals Act 1993*
NAD – *Acacia dealbata* forest (TASVEG unit)
NCA – Tasmanian *Nature Conservation Act 2002*
NBES – North Barker Ecosystem Services
NME – *Melaleuca ericifolia* swamp forest (TASVEG unit)
NVA – Natural Values Atlas database (DPIPWE, Tasmania)
PAG – Property Assessment Group (NRE/DPIPWE)
PCAB – Policy, Conservation and Assessments Branch, DPIPWE
SRZ – Structural Root Zone
TPZ – Tree Protection Zone
TSPA – Tasmanian *Threatened Species Protection Act 1995*
WMA – Tasmanian *Weed Management Act 1999*

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1. INTRODUCTION

1.1. BACKGROUND

The Department of State Growth (State Growth) have a concept design for the widening of the Birralelee Road and Frankford Road (between Birralelee Road and Exeter). This forms stage 3 of the Northern Roads Package which aims to improve safety and efficiency of these roads, and meet the heavy vehicle needs on this key freight route. The works include shoulder widening, sealing, and surface upgrades.

1.2. STUDY AREA

For the purposes of this report, the study areas will be split into two areas, and will be referred to according to each main road area, the Birralelee and Frankford study areas. The Birralelee study area (Figure 1) begins at Roxford Avenue, approximately 300 m north of the Tasmanian Alkaloids facility, and follows the road north until it meets Frankford Road. The Frankford study area (Figure 1) begins approximately at the Birralelee Road junction, and extends eastwards to Main Road (West Tamar Highway), Exeter.

It is located in the Tasmanian Northern Slopes and Northern Midlands bioregions¹ and within the jurisdiction of the Meander Valley and West Tamar Councils.

The study areas include the entire road reserve as well as extending by a 10 m buffer into adjacent parcels on private land where native vegetation is present. It excludes non-terrestrial environments, residential houses, and light industry. Concept designs were digitised to determine impact areas. The study area covers a total area of 98.95 ha.

The study area undulates along the road network. Altitude ranges from ~50 m at Exeter, to ~220 m at the western end of the Frankford study area. Average annual rainfall in the study area ranges between 765 mm per year² and 1100 mm per year³.

The land uses of the broader area include protected native vegetation, agricultural land, plantation forest, future potential production forest, recreational areas, transport corridor, residential housing, and light industry.

¹ IBRA7 - Commonwealth of Australia 2012

² Station details: Westbury (Birralelee Road), 41.51°S, 146.83°E, 186 m asl, commenced 1978

³ Station details: Glengarry (Ginns Road), 41.38°S, 146.82°E, 217 m asl, commenced 2007

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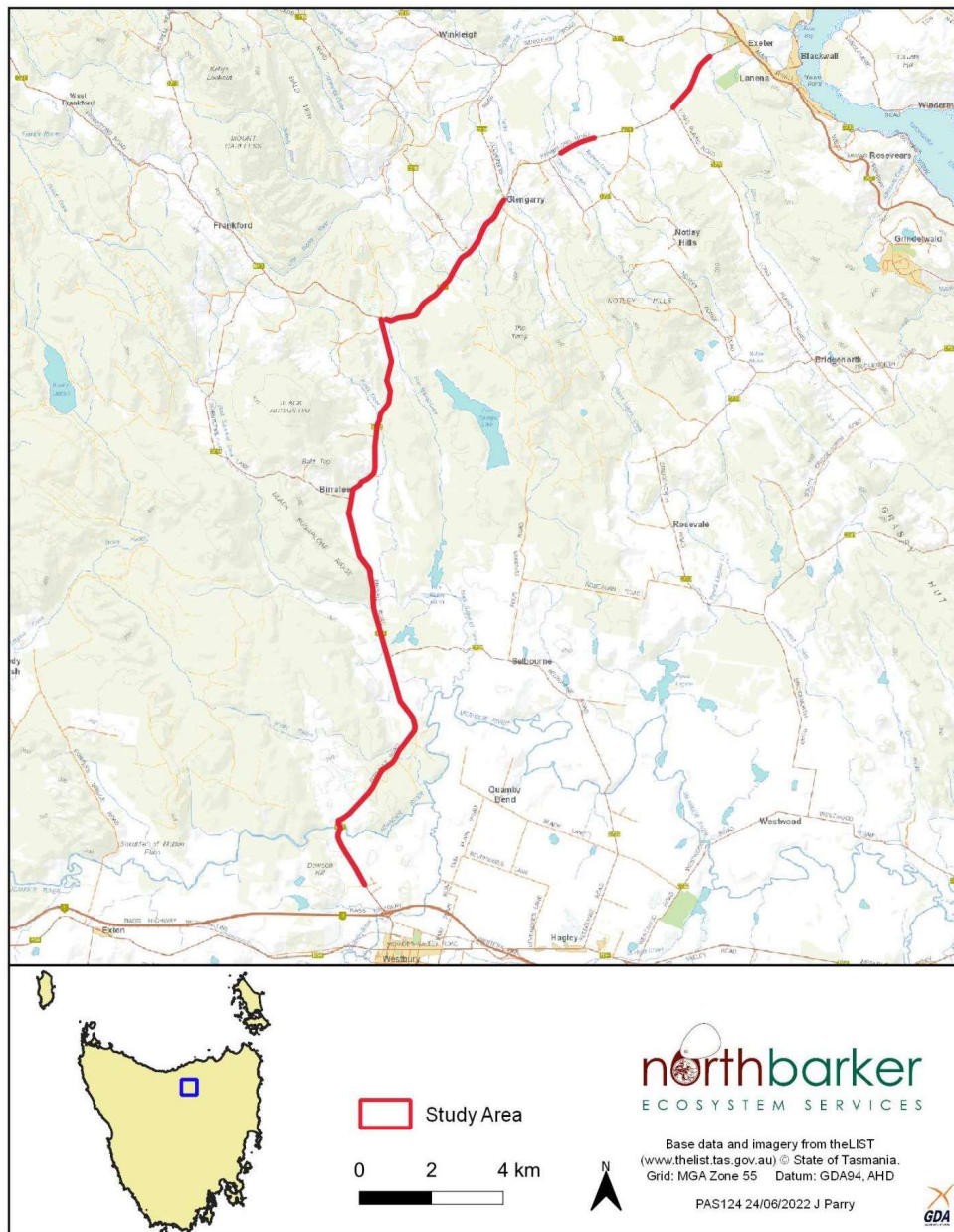


Figure 1: Location of the study area

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2. METHODS

2.1. VEGETATION SURVEYS

General flora surveys for this assessment were undertaken between 15-18 March 2021. A targeted survey for *Brunonia australis* (TSPA Rare) was conducted on 2 December 2021.

Native vegetation types were mapped across the site in accordance with units defined in TASVEG 4.0¹. Non-native types were treated collectively as modified land as defined under the TASVEG system. Vascular plant species lists were compiled within each vegetation type using the current census of Tasmanian plants² for nomenclature; minimum study effort was determined by a meandering area search technique³, with additional effort applied within potential threatened species⁴ habitats and within threatened native vegetation types⁵.

Declared weeds⁶ were mapped throughout the entire study area with plant numbers and/or area of cover recorded where possible.

2.2. FAUNA SURVEYS

Fauna surveys were undertaken concurrently with the flora study between 15-18 March 2021.

Observations of habitat suitability for terrestrial fauna were made concurrently with the flora surveys, with the minimum study effort determined by a meandering area search technique⁷ and additional effort applied within potential threatened species⁸ habitats.

Specific surveys were conducted for avian fauna, specifically Tasmanian masked owls (*Tyto novaehollandiae* subsp. *castanops*) and swift parrots (*Lathamus discolor*). Suitable habitat for Tasmanian masked owls and swift parrot was assessed from ground level only.

Ground assessment for Tasmanian masked owl habitat trees involved searching the study area to identify suitably sized nest trees and hollows, in addition to various signs of inhabitancy by Tasmanian masked owl, with reference to:

- Forest Practices Authority 2014, 'Identifying masked owl habitat', Fauna Technical Note No. 17, Forest Practices Authority, Hobart, Tasmania.
 - Potential nest trees were taken as trees ≥ 100 cm DBH and/or containing a tree hollow with an entrance diameter estimated as ≥ 15 cm.
 - Signs of inhabitancy were pellets of regurgitated skin and bones, feathers, and droppings at the base of the tree and within the canopy drip-zone.

Ground assessment for swift parrot habitat and foraging trees involved searching the study area to identify suitably sized nest trees and hollows, as well as viable food sources, with reference to:

- Forest Practices Authority 2014, 'Identifying swift parrot breeding habitat', Fauna Technical Note No. 3, Forest Practices Authority, Hobart, Tasmania.

¹ DPIPWE 2020, Harris and Kitchener 2005

² de Salas and Baker 2019

³ Goff *et al.* 1982

⁴ Tasmanian *Threatened Species Protection Act 1995* (TSPA) and/or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA)

⁵ Tasmanian *Nature Conservation Act 2002* (NCA) or the EPBCA

⁶ Tasmanian *Weed Management Act 1999*

⁷ Goff *et al.* 1982

⁸ Tasmanian *Threatened Species Protection Act 1995* (TSPA) and/or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA)

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- Potential nest trees were taken as trees ≥ 70 cm DBH with signs of advanced senescence and/or containing a tree hollow(s). Nesting trees typically contain multiple hollows.
- Potential foraging trees were taken as *Eucalyptus globulus* and *E. ovata* trees ≥ 40 cm DBH. Foraging habitat density class is assessed as per Table 2 in the FPA technical note.

2.3. LIMITATIONS

Data points were recorded on a handheld GPS with an average accuracy of < 10 m.

Due to seasonal variations in detectability and identification, there may be some species that have been overlooked or were seasonally absent during our surveys. To compensate for these limitations to some degree, data from our field surveys are supplemented with data from the:

- TASVEG version 4.0 digital layer¹;
- Tasmanian Natural Values Atlas (NVA)²;

Buffers of 500 m and 5 km were used for identifying previous observations of natural values stored in these sources.

3. BIOLOGICAL VALUES

3.1. VEGETATION

Table one present the vegetation communities recorded were recorded in the study area:

Table 1: vegetation communities recorded within the study area

| TASVEG Code | Community Description | Area (ha) |
|---------------|--|--------------|
| DAD | <i>Eucalyptus amygdalina</i> forest and woodland on dolerite | 3.00 |
| DAZ | <i>Eucalyptus amygdalina</i> inland forest and woodland on Cainozoic deposits | 1.57 |
| DOB | <i>Eucalyptus obliqua</i> dry forest | 2.46 |
| DOV | <i>Eucalyptus ovata</i> forest and woodland | 2.91 |
| DSC | <i>Eucalyptus amygdalina</i> – <i>Eucalyptus obliqua</i> damp sclerophyll forest | 0.25 |
| NAD | <i>Acacia dealbata</i> forest | 0.03 |
| NME | <i>Melaleuca ericifolia</i> swamp forest | 0.10 |
| FPE | Permanent easements | 2.51 |
| FRG | Regenerating cleared land | 1.09 |
| FUM, FAG, FUR | Other modified land units | 84.34 |
| Total | | 98.95 |

¹ DPIPW 2020

² Natural Values Report nvr_4_12-Apr-2021, Natural Values Report nvr_5_12-Apr-2021

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The DAZ, DOV, and NME communities are listed as threatened under the Tasmanian *Nature Conservation Act 2002* (NCA). DOV, in some situations, can form part of the EPBCA critically endangered 'Tasmanian black gum/Brookers gum forests and woodlands' where it meets the condition criteria.

Vegetation types across the study area are summarised in text below. An index of map frames is presented in Figure 2. Distribution of TASVEG native vegetation communities is presented in Figures 3-7, with patch floristics in Appendix A.

3.1.1. *EUCALYPTUS AMYGDALINA* FOREST AND WOODLAND ON DOLERITE (DAD)

The study area includes 3.00 ha of this community, occurring in along the western side of Birralee Road at Marneys Hill Reserve (Plate 1). It should be noted that extensive consideration into the classification of this unit has been given due to previous surveys of the site classifying the site as *Eucalyptus amygdalina* forest and woodland on Cainozoic deposits (DAZ).

Community Classification Reasoning

A past assessment¹ of the site reported the presence of vegetation equivalent to TASVEG unit DAZ *E. amygdalina* inland forest and woodland on Cainozoic deposits, which is listed as threatened under the NCA - the attribution at that time was to 'inland *E. amygdalina* forest and woodland' (DAI/AI) under an earlier system of classification, with the facies of DAI associated with recent gravels and sands later becoming DAZ (and listed as a threatened NCA community) with a revision of the inland communities dominated by *E. amygdalina* and a reanalysis of their conservation status². The assessment (1997/8) of the site was in response to a proposal from the previous landowner for conversion to plantation, and the subsequent surveys done to inform the potential for a Timber Harvesting Plan³. The subsequent attribution of site vegetation to DAI on recent gravels (*i.e.* DAZ) was referenced in the financial agreement covering the purchase of the property for contribution as a private land component towards the CAR Reserve System⁴ when the conversion was not undertaken. The attribution as DAI on recent gravels was also consistent with mapping within a report to the RFA Private Reserve Program Scientific Advisory Group⁵. Both the assessment in relation to the potential Timber Harvesting Plan and the report to the RFA panel had limitations, with the forestry assessment noted as not being comprehensive and not covering the whole property⁶, and the RFA report primarily being a desktop exercise⁷.

Despite the forestry assessment indicating the presence of DAI around the late nineties, NRE mapping for the site has been consistent in treating the site as DAD since at least 2006 when some *E. amygdalina* dominated patches were reattributed on the basis of improved geology mapping (but not necessarily field checked) – the Tasmanian Vegetation Monitoring and Mapping Program (TVMMP) have also indicated that the RFA mapping attributed to the site was AD (directly equivalent to TASVEG DAD)⁸.

Following purchase through the Private Forest Reserves Program, the site was reinvestigated in 2014/5 (by DPIPWEs Property Assessment Group [PAG]) in relation to the government offering the property to the Tasmanian Land Conservancy. It was noted in the proposal for a conservation covenant that the property had been previously purchased by the PFRP possibly because it was mapped as DAI, but that their survey indicated the vegetation was more consistent with the TASVEG description of DAD, with a note on small scale (< 1 ha) heterogeneity comprising a mixture of DAZ and DAD elements but consistency with DAD classification on the whole⁹. The site vegetation was thus treated as DAD for that

¹ Forest Practices Unit (1998)

² North (1998); CARSAG (2004)

³ Forest Practices Unit (1998)

⁴ Ref: Tas CAR Private Reserve Program 99-00/1

⁵ North (1998)

⁶ Duncan *et al.* (2021)

⁷ North (1998)

⁸ Tasmanian Vegetation Monitoring and Mapping Program email correspondence (2021)

⁹ Property Assessment Group Meeting Notes: 20 May 2015

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assessment and remained as DAD within the TASVEG database, with the site metadata in the TASVEG 4 release including reference to the 2015 field checking by PAG.

Whilst there are some aspects of site geology that could support an attribution to DAZ, the presence of a particular soil trait does not necessarily guarantee a vegetation type associated with that soil trait will be present, as the vegetation can be influenced by additional factors such as climatic or land use history, dispersal limitations on constituent plant species, and competitive balance between the plants. Inconsistency between soil types and TASVEG units associated with a particular geology are recognised elsewhere within TASVEG mapping and may be most likely to occur where mixed soil traits occur near geological boundaries, causing intermediate and heterogeneous vegetation traits, as noted by previous assessments of this site. Thus, with dolerite being the dominant geology across this site and dolerite colluvium being present (to varying degrees), even in areas where recent sands dominate the surface material, it is reasonable to map to entire forest patch as DAD.

Vegetation Description

The canopy quite open and is dominated by *Eucalyptus amygdalina* (~25 m tall) with occasional patches dominated by *E. viminalis* (~30 m tall). *Acacia dealbata* and *Exocarps cupressiformis* the most frequent understorey trees. The shrub layer consists mainly of *Bursaria spinosa*. The ground layer is grassy, with high cover of *Themeda triandra*, *Austrostipa rudis* subsp. *australis*, *Lomandra longifolia*, and several inter-tussock herbs. Approximately 70 plants of the TSPA rare listed *Brunonia australis* was recorded within this community. Introduced species are prevalent along the fence line, with dense gorse and blackberry occurring in places.

The patches of this community are in moderate condition, with dense weed infestations along the fence lines and a high cover of introduced herbs and grasses near the road reserve.

Eucalyptus amygdalina forest and woodland on dolerite (DAD) is not listed as threatened under the Tasmanian NCA.



Plate 1: *Eucalyptus amygdalina* on dolerite at Marneys Hill reserve, Birraleee Road

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3.1.2. EUCALYPTUS AMYGDALINA INLAND FOREST AND WOODLAND ON CAINOZOIC DEPOSITS (DAZ)

The study area includes 1.57 ha of this community and is one of the dominant vegetation types in the study area. This community occurs exclusively in the Birralee study area.

The canopy is dominated by *Eucalyptus amygdalina* (~30 m tall), with localised patches of *E. ovata* (~25-30 m tall) and *E. viminalis* (~30 m tall) (Plate 2). Immature *E. ovata* also occurs as an understorey tree in some patches. *Acacia dealbata*, *Banksia marginata*, *Pomaderris apetala*, *Exocarpos cupressiformis*, and *Bursaria spinosa* are frequent understorey trees. The understorey is a mixture of grasses and sedges and low shrubs, with *Themeda triandra*, *Austrostipa rudis* subsp. *australis*, *Lomandra longifolia*, *Gahnia grandis*, *Lepidosperma elatius*, *Astroloma humifusum*, *Epacris impressa*, and *Hibbertia procumbens* occurring throughout. Herbaceous species such as *Gonocarpus tetragynus*, *Viola hederacea*, *Poranthera microphylla*, and *Wahlenbergia multicaulis* occurring frequently. *Pteridium esculentum* is widespread throughout this community (Plate 3).

The patch at the western end of the Frankford study area has a sedgy component, with *Leptocarpus tenax*, *Empodisma minus*, *Tetraria capillaris*, and several *Juncus* species occurring within dense *Pteridium esculentum* and *Gleichenia microphylla*.

Approximately 100 plants of the TSPA rare listed *Brunonia australis* were recorded near Selbourne Road within the road reserve immediately adjacent to a small patch of this community.

Eucalyptus amygdalina inland forest and woodland on Cainozoic deposits (DAZ) is listed as threatened under the NCA.



Plate 2: *Eucalyptus amygdalina* inland forest and woodland on Cainozoic deposits (DAZ) on Birralee Road

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Plate 3: Typical understorey within the DAZ community

3.1.3. EUCALYPTUS OBLIQUA DRY FOREST (DOB)

The study area includes 2.46 ha of this community. This community occurs in the Frankford study area, to the east of Birralee Road.

The canopy of this community is dominated by tall *Eucalyptus obliqua* (~35 m tall), with patches of *E. viminalis* and *E. ovata* (~25 m tall) scattered throughout. Understorey trees consist mainly of *Acacia dealbata*, *A. verticillata*, *A. melanoxylon*, and *Pomaderris apetala* (Plate 4). Tall shrubs include *Olearia lirata*, *Coprosma quadrifida*, and *Leptospermum scoparium*, with smaller shrubs *Aotus ericoides*, *Lomatia tinctoria*, *Pultenaea juniperina*, and *Hibbertia serpyllifolia*. The ground layer is dominated by *Pteridium esculentum* and *Lomandra longifolia* (Plate 5).

The patches of DOB are generally in good condition, with an exception being a patch west of the Glengarry Post Office. This patch was dominated by weedy species such as foxglove and maple, likely as a result of garden escapes.

Eucalyptus obliqua dry forest (DOB) is not listed as threatened under the Tasmanian NCA.

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Plate 4: *Eucalyptus obliqua* dry forest (DOB) along Frankford Road



Plate 5: Bracken dominated understorey of the DOB community

3.1.4. *EUCALYPTUS OVATA* FOREST AND WOODLAND (DOV)

The study area includes 2.91 ha of this community and is one of the dominant vegetation types in the study area. This community occurs in the north of the Birraleee study area.

The canopy is dominated by *Eucalyptus ovata* (~25-30 m tall), with occasional patches of *E. amygdalina* (~20 m tall) (Plate 6-7). Canopy trees are on average between 30 and 60 cm DBH, with occasional larger trees (>80 cm DBH) scattered throughout the patches. Understorey trees include *Exocarpos cupressiformis* (~10 m tall), *Acacia dealbata*, and *A. melanoxylon* (~12 m tall). Tall shrubs such as *Pultenaea dentata*, *Acacia verticillata*, *Leptomeria drupacea*, *Leptospermum scoparium* and *Cassinia aculeata* are frequent throughout. The ground layer is dominated by *Gahnia grandis* and *Lepidosperma elatius*. The Frankford study area has a strong graminoid component, with *Leptocarpus tenax*, *Tetraria capillaris*, *Poa labillardierei*, and *Austrostipa rudis* subsp. *rudis* widespread. Blackberry (*Rubus fruticosus*) and briar rose (*Rosa rubiginosa*) are widespread in the Birraleee study area (Plate 8).

Patches of DOV within the study area are generally in good condition and with high species diversity, with weeds only prevalent near the road reserve boundaries.

Eucalyptus ovata forest and woodland (DOV) is listed as threatened under the NCA and may qualify for listing as the EPBCA critically endangered black gum/Brookers gum forest and woodland, if certain listing criteria are satisfied¹.

This community occurred across two areas that were previously mapped on TASVEG as DOV, totalling ~49 ha, and subsequently these areas were prioritised for avoidance on the assumption that these patches would qualify for listing.

Subsequent designs have managed to avoid these patches, with only very minor areas intersecting the design area within the road reserve. The vegetation immediately adjacent to the road reserve has a

¹ Department of the Environment and Energy (2019)

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very weedy understorey (see Figure 11 - Map Frame 9, Figure 12 - Map Frame 10, and Plate 8). Considering the revision of the design, the very minor overlap with this community, and the condition of the vegetation immediately adjacent to the road reserve, a formal assessment was deemed not to be necessary for the DOV patches recorded, as there is no chance of significant impacts to this MNES.

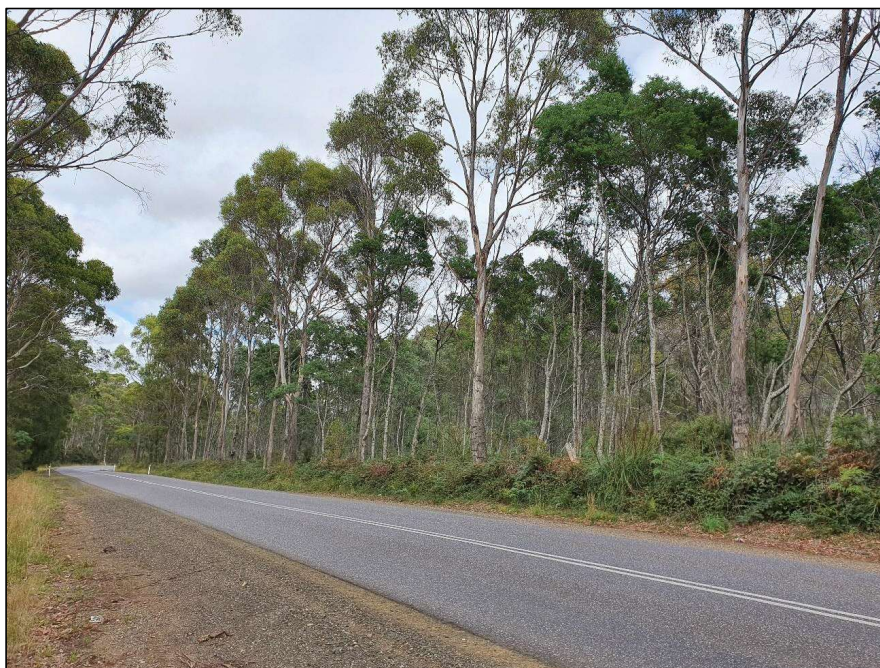


Plate 6: *Eucalyptus ovata* dry forest and woodland (DOV) canopy structure, Birralee Road

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Plate 7: *Eucalyptus ovata* dry forest and woodland (DOV), Birralee Road

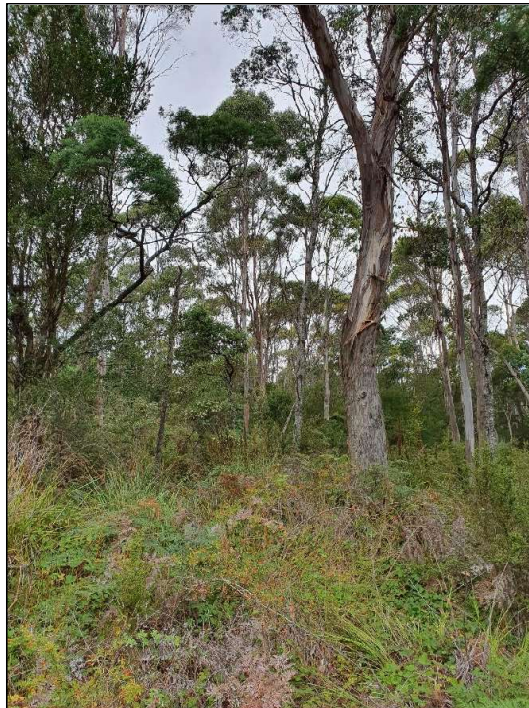


Plate 8: *Eucalyptus ovata* dry forest and woodland (DOV) with a weedy/heathy understorey along Birralee Road

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3.1.5. EUCALYPTUS AMYGDALINA – EUCALYPTUS OBLIQUA DAMP SCLEROPHYLL FOREST (DSC)

The study area includes 0.25 ha of this community. This community occurs in one location within the Frankford study area, to the east of Birralea Road.

This community is characterised by the lack of a clear dominant eucalypt species. *Eucalyptus amygdalina*, *E. ovata*, and *E. obliqua* all occur through this community. Trees are typically between 25 m and 35 m tall (Plate 9).

This community has been subject to clearing, with a lack of tall trees within the 10 m buffer of the road reserve. Several seedlings are emerging. The tallest stratum in the understorey is *Acacia dealbata* (~8 m tall), with *Cassinia aculeata* and *Gahnia grandis* dominant at the ground level.

Eucalyptus amygdalina – *Eucalyptus obliqua* damp sclerophyll forest (DSC) is not listed as threatened under the Tasmanian NCA.



Plate 9: *Eucalyptus amygdalina* - *Eucalyptus obliqua* damp sclerophyll forest (DSC) in the west of the Frankford study area

3.1.6. ACACIA DEALBATA FOREST (NAD)

The study area includes 0.03 ha of this community. This community occurs in one location, at Egmont Reserve on the Meander River. This community was only surveyed from the roadside only due to landowner access permissions.

This disturbance induced community is dominated by *Acacia dealbata* (Plate 10). This community was likely once a *Eucalyptus* community, however land conversion has reduced the number of eucalypts to a very small number. The understorey is depauperate of species, with some introduced pasture grasses occurring at the fringes, and gorse visible at the edges. Willows are common at the river's edge but occur outside of the 10 m road buffer.

Acacia dealbata forest (NAD) is not listed as threatened under the Tasmanian NCA.

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Plate 10: *Acacia dealbata* forest (NAD), with gorse occurring frequently in the road reserve

3.1.7. MELALEUCA ERICIFOLIA SWAMP FOREST (NME)

The study area includes 0.10 ha of this community. This community occurs in one location in the Frankford study area, at Stony Creek, Exeter.

The canopy of this community is dominated by *Melaleuca ericifolia*, with one *Eucalyptus ovata* emerging (Plate 11). Along the roadside is some large *Acacia melanoxylon* and the introduced *Acacia pycnantha*. The ground layer is very weedy, with cocksfoot (*Dactylis glomerata*), cumbungi (*Typha latifolia*), blackberry (*Rubus fruticosus*) and Spanish heath (*Erica lusitanica*) occurring along the flanks of the creek.

The single patch of NME is in poor condition, with over half of the species recorded within being introduced, two of which are declared weeds.

Melaleuca ericifolia swamp forest (NME) is listed as threatened under the NCA.

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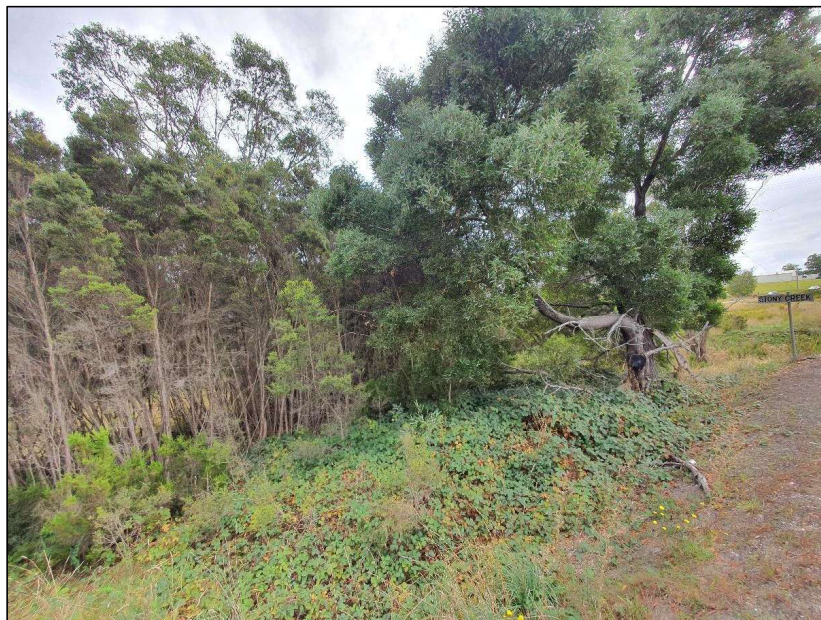


Plate 11: *Melaleuca ericifolia* swamp forest (NME) at Stony Creek

Permanent easements (FPE)

The study area includes 2.51 ha of this community. This community occurs along a powerline easement along the southern side of Frankford Road.

The community occurs across two facies (FPE – DOB, FPE – DOV), determined by the native community that it would return to if left unmanaged, as well as other cleared easements that do not correspond to a specific native vegetation unit. The two eucalyptus facies of FPE are highly native (Plate 12-13), while the FRG facies is a former pasture area that contains a moderate proportion of native species in the regenerating land.

The cleared eucalyptus communities contain several elements of the original vegetation community, although the disturbance has induced growth of several sedges and rushes, as well as dense bracken in places. Weeds are prevalent in areas immediately adjacent to the road reserve, and the declared weeds Spanish heath and blackberry are both widespread along throughout the easement areas.

One patch without strong ties to a native vegetation unit occurs of a regenerating agricultural block, with emergent native trees throughout, and *Rytidosperma spp.* the most widespread native grass within the patch. This patch may revert to a native grassland if left unmanaged. Blackberry is dense along the fence lines, and gorse occurs in patches.

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Plate 12: Powerline easement adjacent to *Eucalyptus obliqua* dry forest (DOB)



Plate 13: Powerline easement adjacent to *Eucalyptus ovata* dry forest and woodland (DOV)

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3.1.8. REGENERATING CLEARED LAND (FRG)

Patches of regenerating land occur in areas that have either been cleared for logging or have been cleared for agriculture (Plate 14). The species composition has a strong native component, with weeds occurring closest to the road reserve boundary. A total of 1.09 ha of this vegetation class was recorded.



Plate 14: Regenerating land after logging activity

3.1.9. OTHER MODIFIED LANDS (FAG, FUM, FUR)

A further 84.34 ha of the study area contains cleared lands for urban, peri-urban and agricultural use.

The road reserve area is largely dominated by introduced grasses such as cocksfoot (*Dactylis glomerata*), stinkgrass (*Eragrostis cilianensis*), and bulbous oatgrass (*Arrhenatherum elatius* var. *bulbosum*), with *Themeda triandra*, and native herbs occurring in areas adjacent to native forest patches. Occasional medium-sized black gums occur in the road reserve or are on the fenced edge of the reserve.

Blackberry is widespread along fence lines, as is gorse (particularly in the Birrale study area). Spanish heath also occurs frequently, and in high numbers, largely confined to drainage ditches off the road shoulder, but occasionally colonising beyond the immediate road edges.

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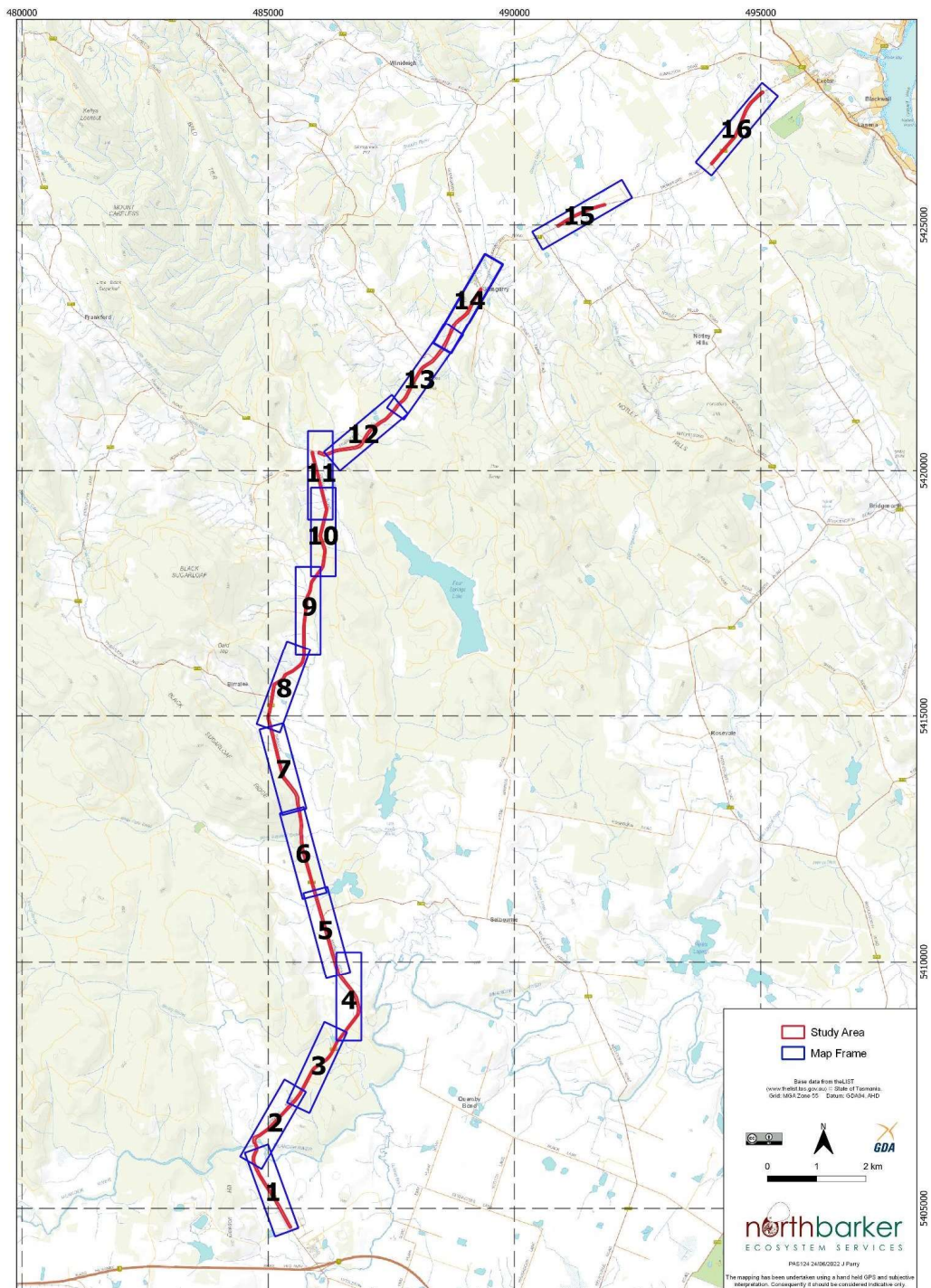


Figure 2: Index of map frames

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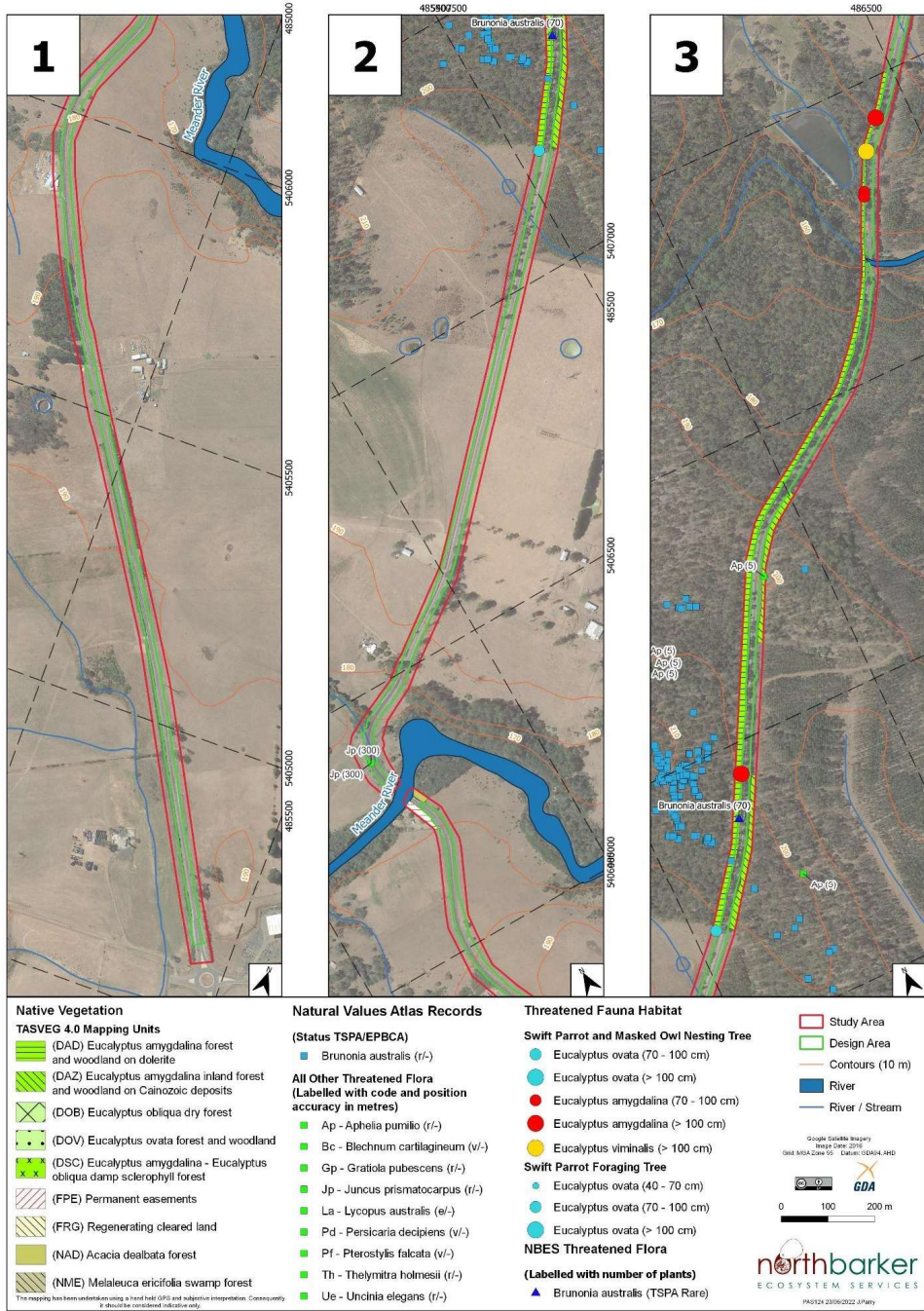


Figure 3: Map of vegetation, threatened flora, threatened fauna habitat, and NVA records – Frames 1-3

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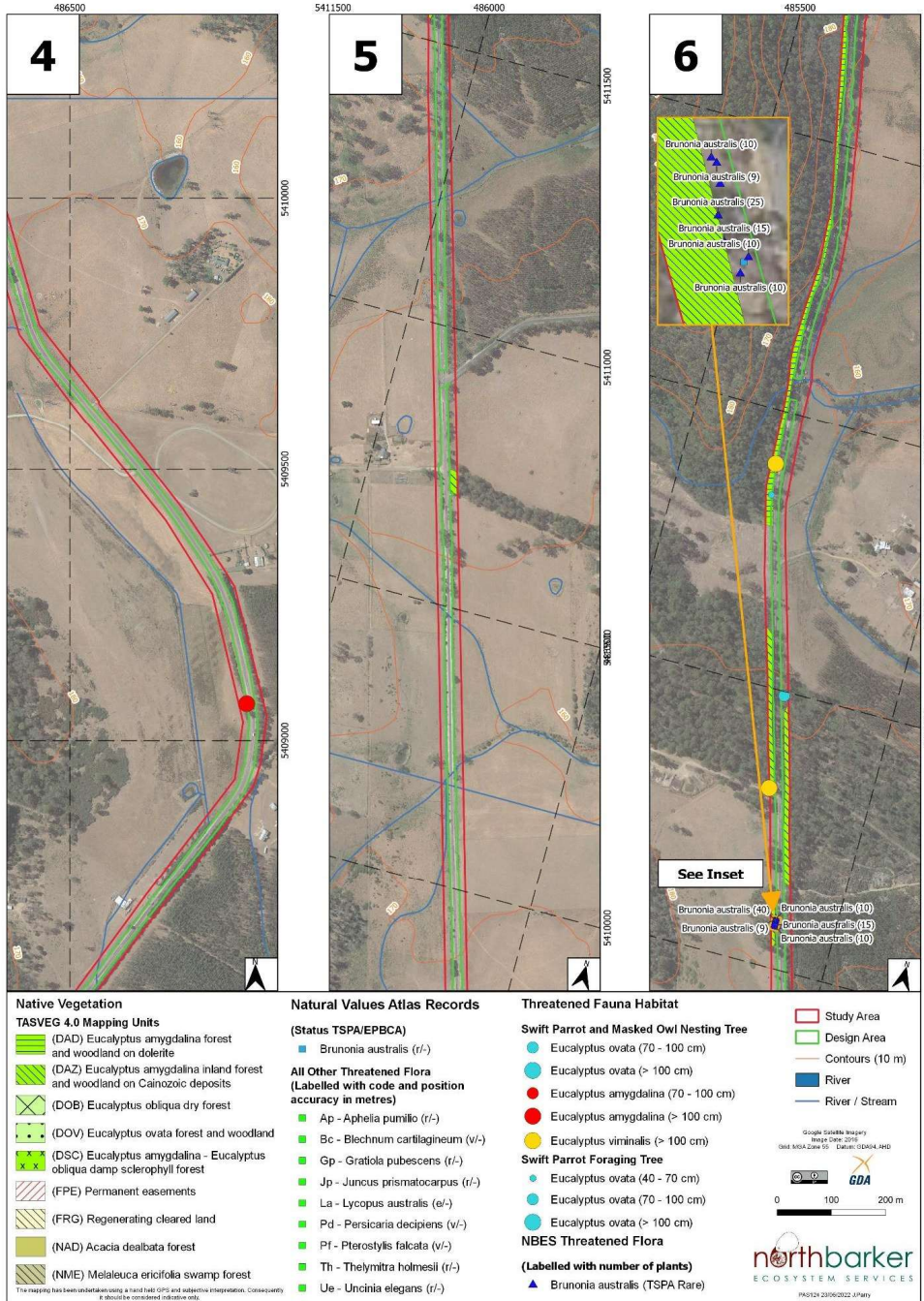


Figure 4: Map of vegetation, threatened flora, threatened fauna habitat, and NVA records – Frames 4-6

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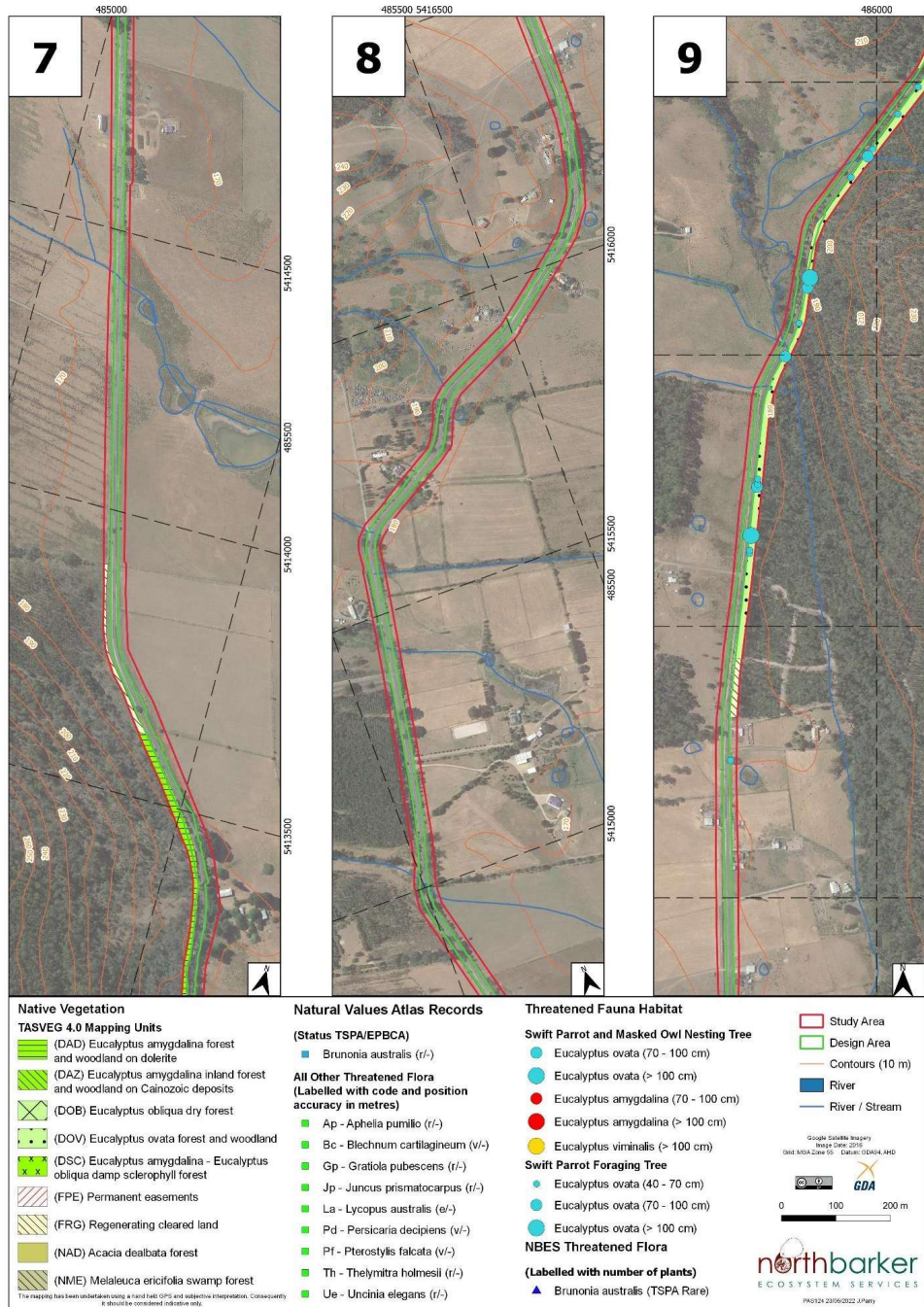


Figure 5: Map of vegetation, threatened flora, threatened fauna habitat, and NVA records – Frames 7-9

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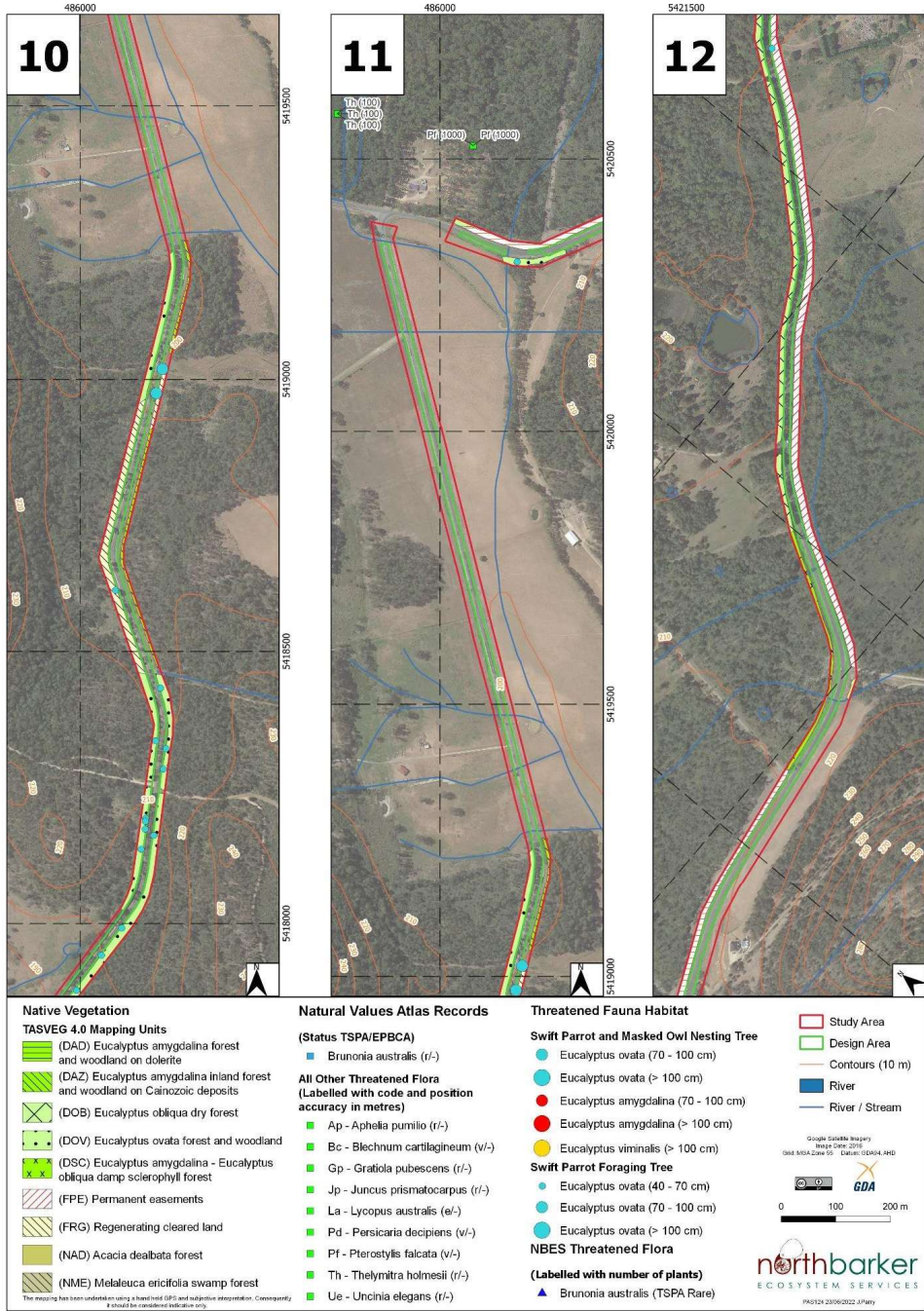


Figure 6: Map of vegetation, threatened flora, threatened fauna habitat, and NVA records – Frames 10-12

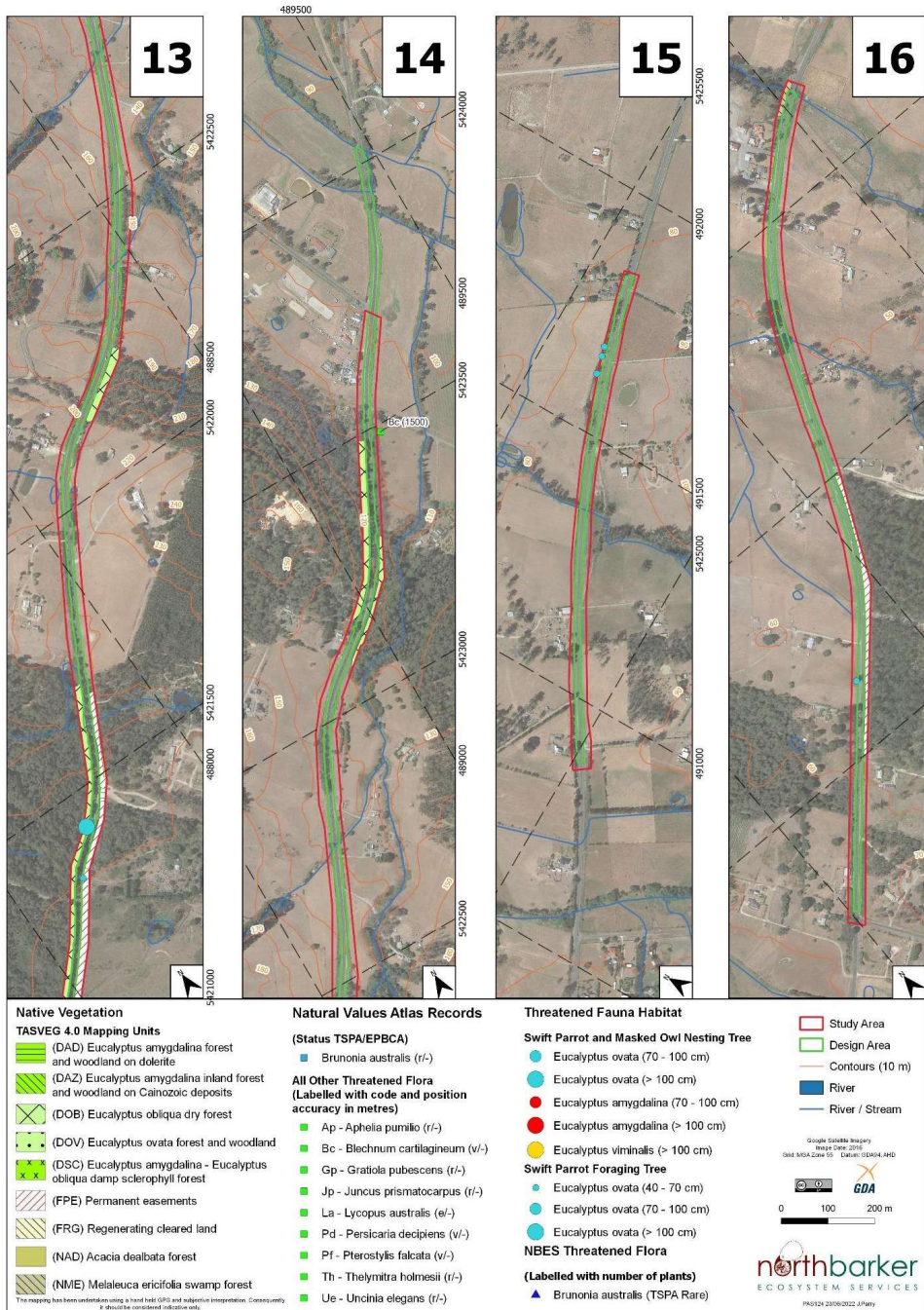


Figure 7: Map of vegetation, threatened flora, threatened fauna habitat, and NVA records – Frames 13-16

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3.2. FLORA OF CONSERVATION SIGNIFICANCE

3.2.1. THREATENED FLORA

A total of 206 vascular plant taxa were recorded during the field survey. A full species list is in Appendix B. This number is moderately high reflecting the rich diversity of the flora. Threatened flora locations are shown in Figure 3-7. A list of threatened flora recorded on the Tasmanian Natural Values Atlas is in Appendix C. Consideration of these threatened fauna is detailed in Appendix D.

- *Brunonia australis* – Blue pincushion (TSPA – Rare)

This species was recorded in 2 locations (Figure 8), one in the vicinity of a known population. The southernmost occurrence (70 plants) is located adjacent to an Marneys Hill reserve (See Inset A, Figure 8) (Plate 15) and occurs in DAD. The northern occurrence (100 plants) is located within the road reserve near Selbourne Road (See Inset B, Figure 8) (Plate 16), adjacent to a remnant DAZ patch, with an understorey dominated by pasture grasses, located across the fence.

Large clusters of records for this species occur within the Marneys Hill reserve as well as the private reserve to the south of Marneys Hill. Population estimates are unknown, however given that there are currently 224 NVA records in this region, and some of these records are for 1000+ plants, it is probable that the number is in the tens of thousands.



Plate 15: High density of *Brunonia australis* at the base of a *Eucalyptus amygdalina* (Marneys Hill reserve)



Plate 16: *Brunonia australis* detail. Located within the road reserve near Selbourne Road (Birrale Road)

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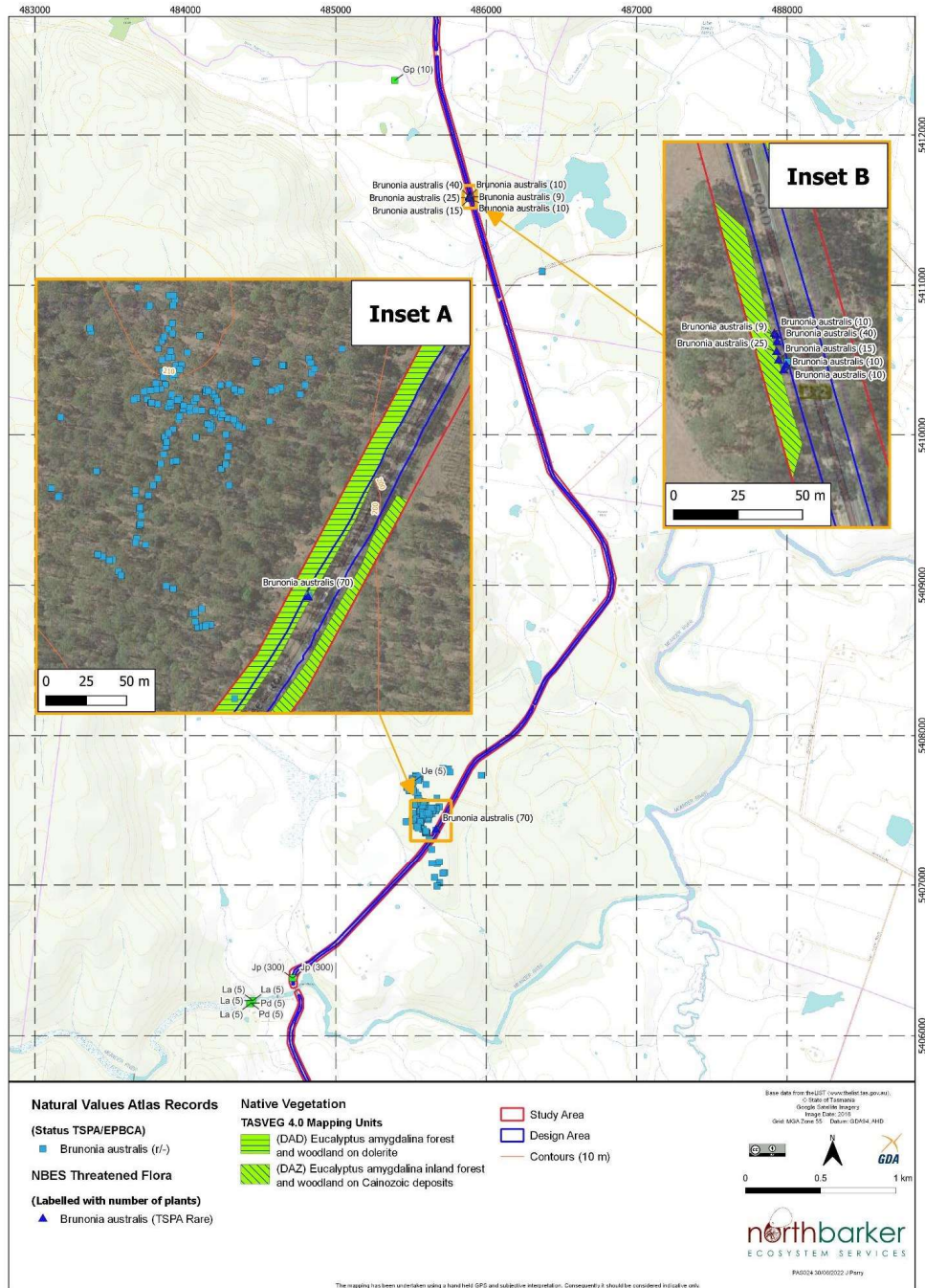


Figure 8: Location of *Brunonia australis* occurrences recorded in the study area

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3.3. INTRODUCED PLANTS

Our surveys recorded 63 introduced plant species within the study area, including 7 weeds listed as declared under the Tasmanian *Weed Management Act 1999* (Table 2). Distribution of weeds is presented in Figures 8-13.

All seven of the declared weeds are targeted for containment measures based on the WMA, *State Roadside Weed Management Strategy*.

Non-declared environmental weeds include spear thistle (*Cirsium vulgare*), radiata pine (*Pinus radiata*), and sweet briar (*Rosa rubiginosa*).

Table 2: Declared weeds within study area

| <u>Species</u> | <u>Comment</u> | <u>Zone within Meander Valley Council¹</u> | <u>Zone within West Tamar Council²</u> | <u>SRWMS Category³</u> |
|---|--|---|---|-----------------------------------|
| <i>Carduus pycnocephalus</i> slender thistle | Single occurrence recorded 600 m north of Delantys Road, twelve plants. | Zone B containment | Zone B containment | |
| <i>Cirsium arvense</i> Californian thistle | Scattered records on both Birrale and Frankford Road. Occurrences mostly singular. | Zone B containment | Zone B containment | |
| <i>Cytisus scoparius</i> English broom | Common throughout the road reserve and fringes of native forest in the north of the Birrale study area (Plate 20). | Zone B containment | Zone B containment | Category 3 containment |
| <i>Erica lusitanica</i> Spanish heath | Widespread throughout the road reserve, and heathy woodland in the Frankford study area (Plate 21). | Zone B containment | Zone B containment | Category 3 containment |
| <i>Rubus fruticosus</i> blackberry | Widespread throughout the road reserve (Plate 17). | Zone B containment | Zone B containment | Category 3 containment |
| <i>Senecio jacobaea</i> ragwort | Observed in one location south of Delantys Road (Meander Valley). Plant was removed and disposed of during the study (Plate 19). | Zone B containment | Zone A eradication | |
| <i>Ulex europaeus</i> gorse | Localised dense patches (Plate 18). | Zone B containment | Zone B containment | Category 3 containment |

¹ Tasmanian *Weed Management Act 1999*, Meander Valley Council

² Tasmanian *Weed Management Act 1999*, West Tamar Council

³ Department of State Growth 2016

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Plate 17: Blackberry infestation along Birralee Road

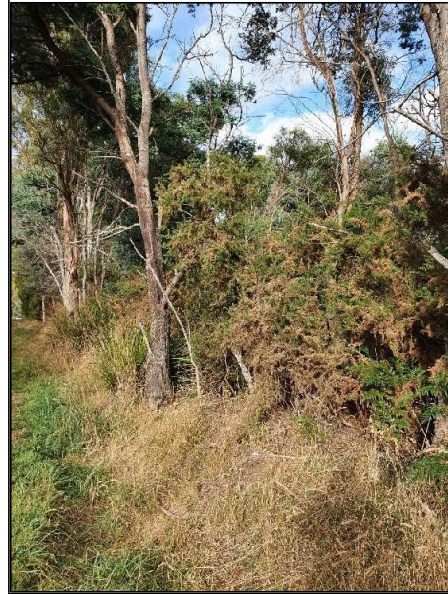


Plate 18: Dense gorse infestation along a fence line near Brushy Rivulet



Plate 19: Ragwort recorded on Birralee Road. Plant was removed and disposed of during study



Plate 20: English broom recorded on Frankford Road

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Plate 21: Spanish heath infestation along Frankford Road

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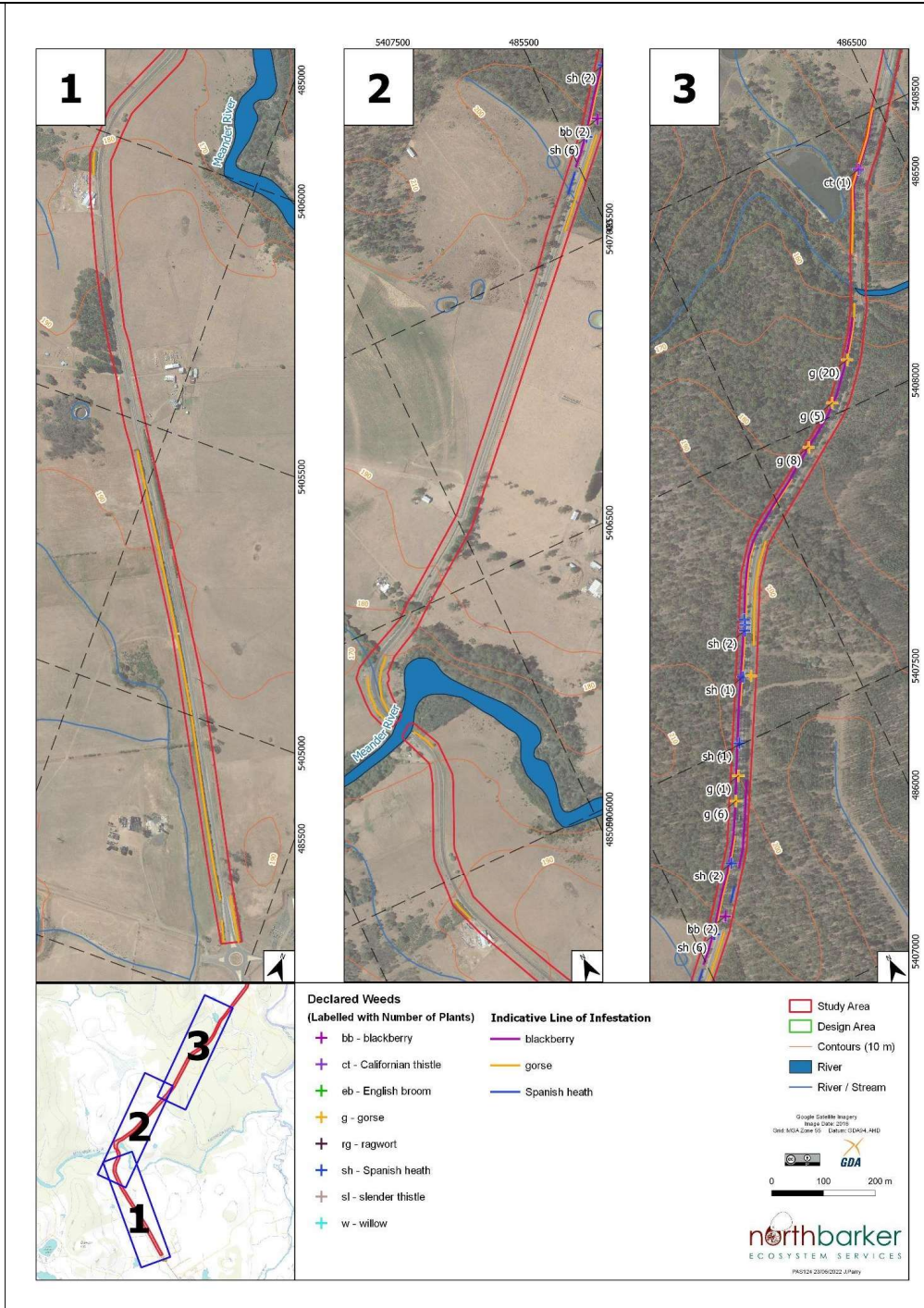


Figure 9: Map of declared weeds in the study area - Frames 1-3

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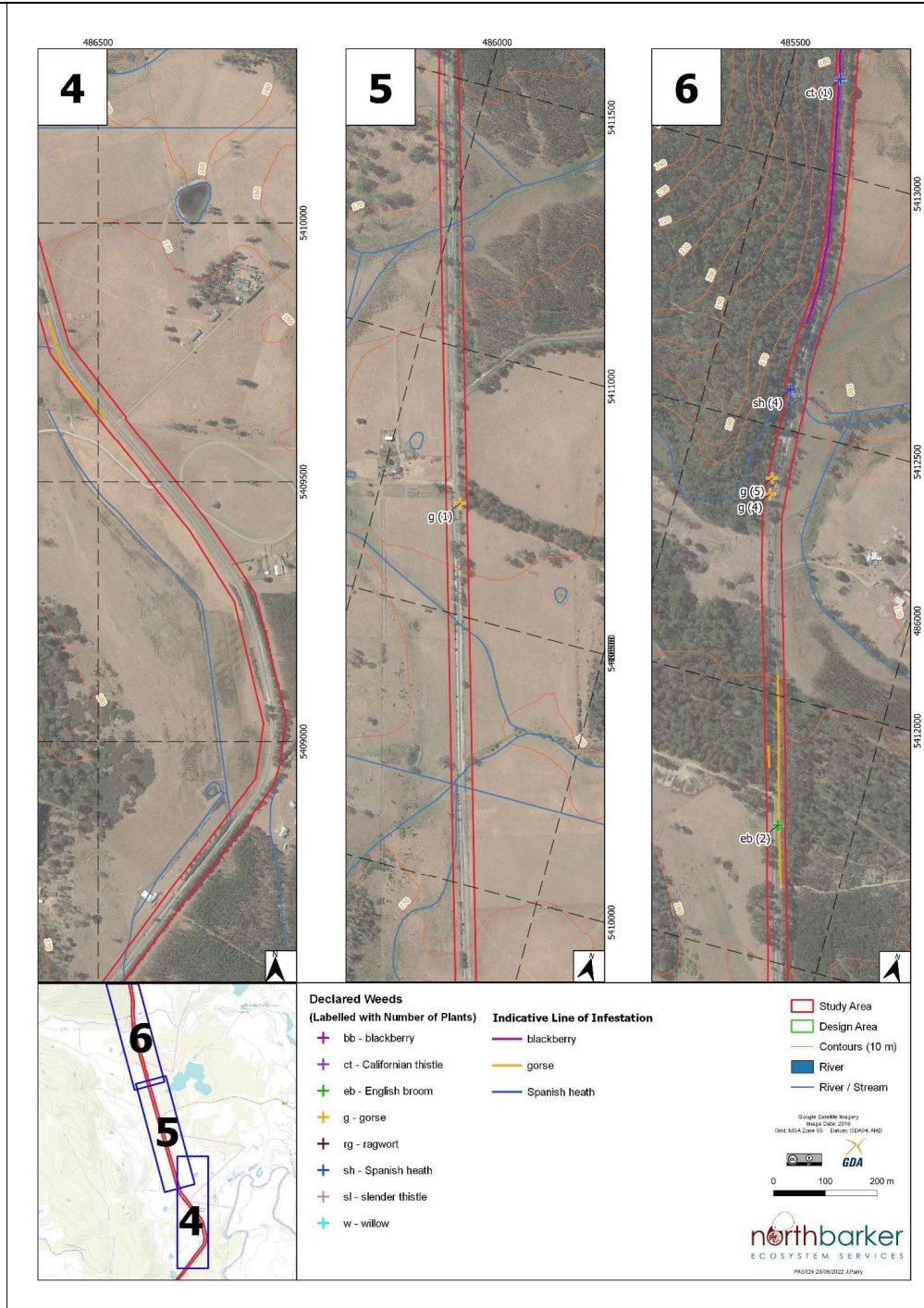


Figure 10: Map of declared weeds in the study area - Frames 4-6

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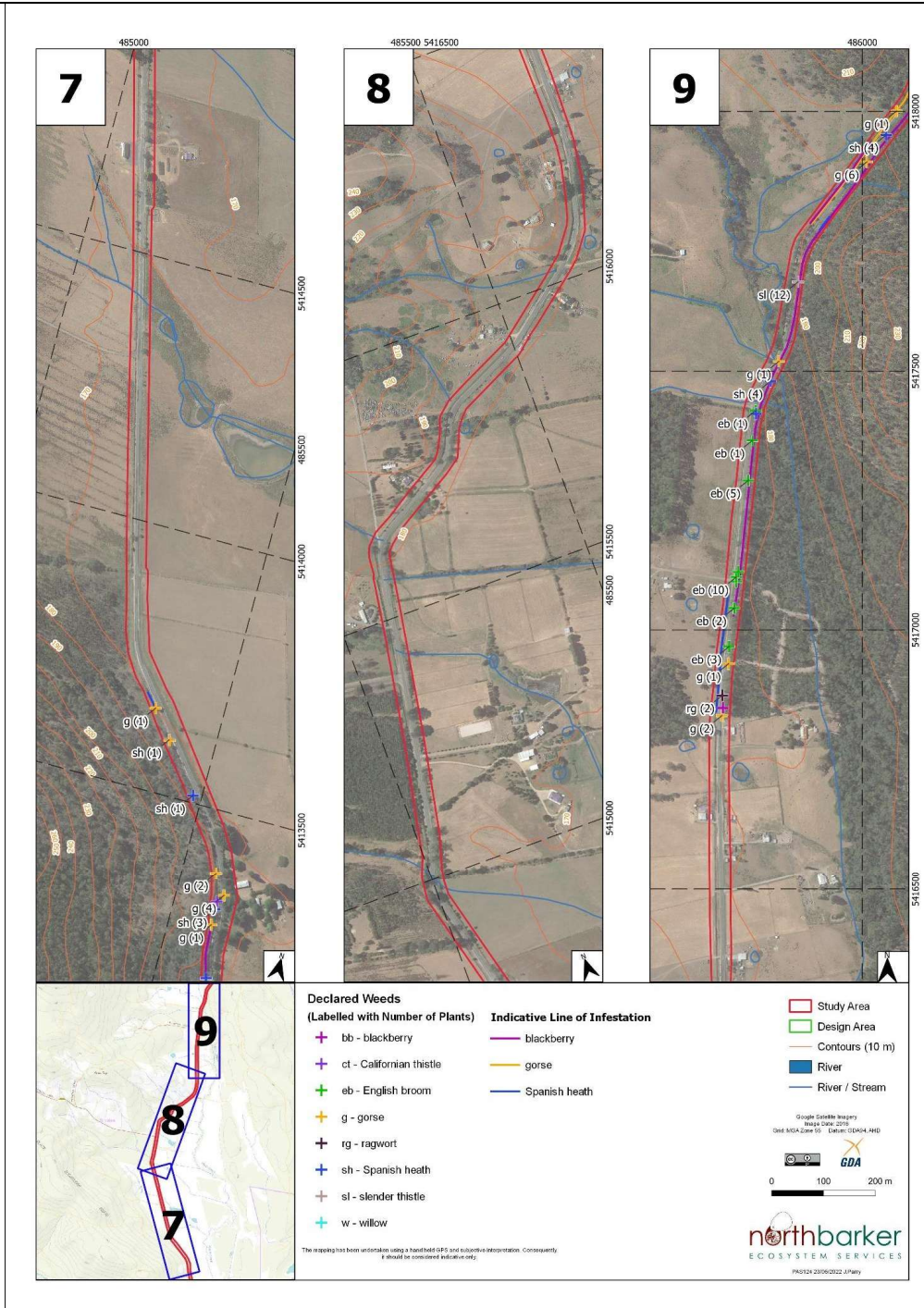


Figure 11: Map of declared weeds in the study area - Frames 7-9

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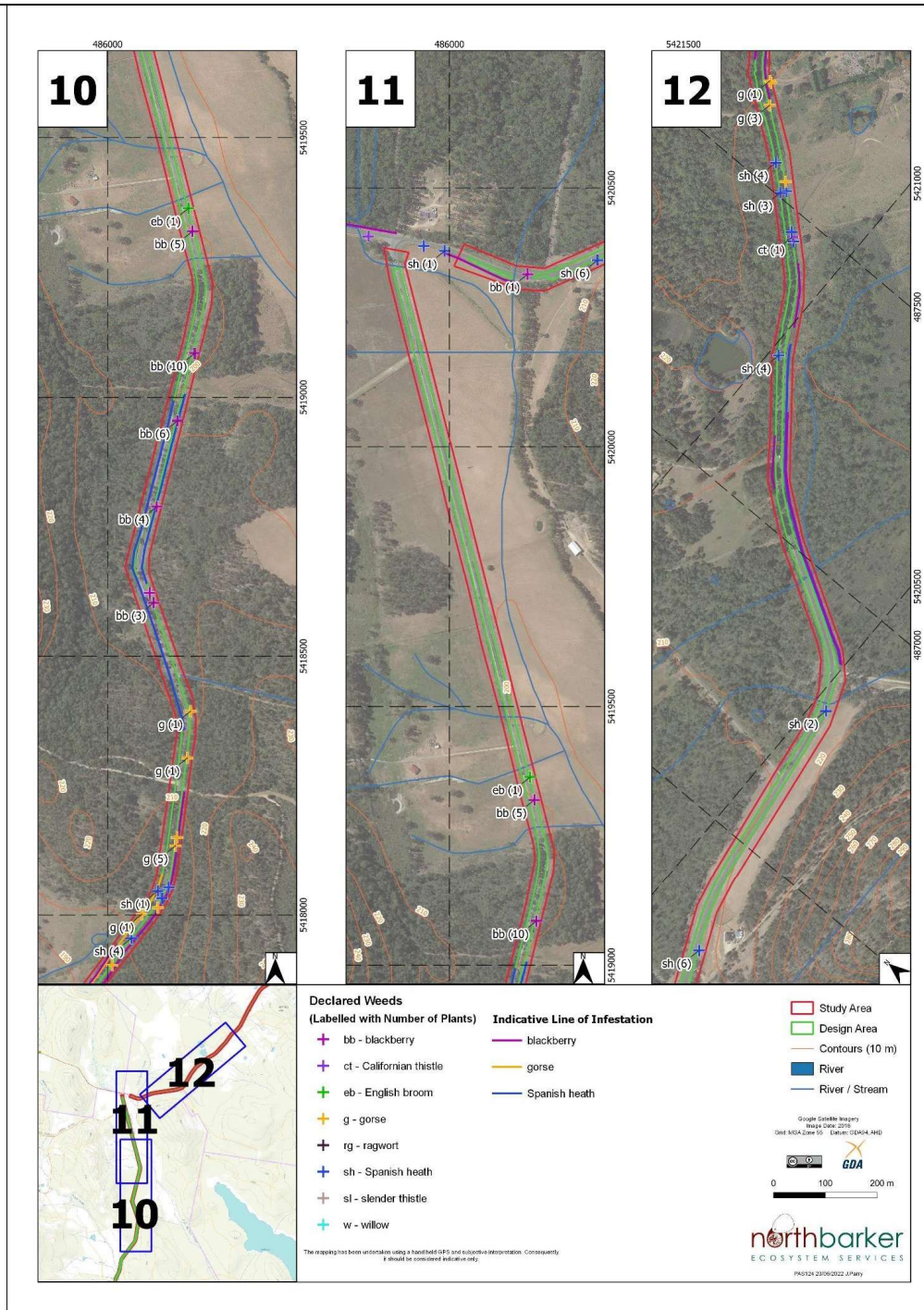


Figure 12: Map of declared weeds in the study area - Frames 10-12

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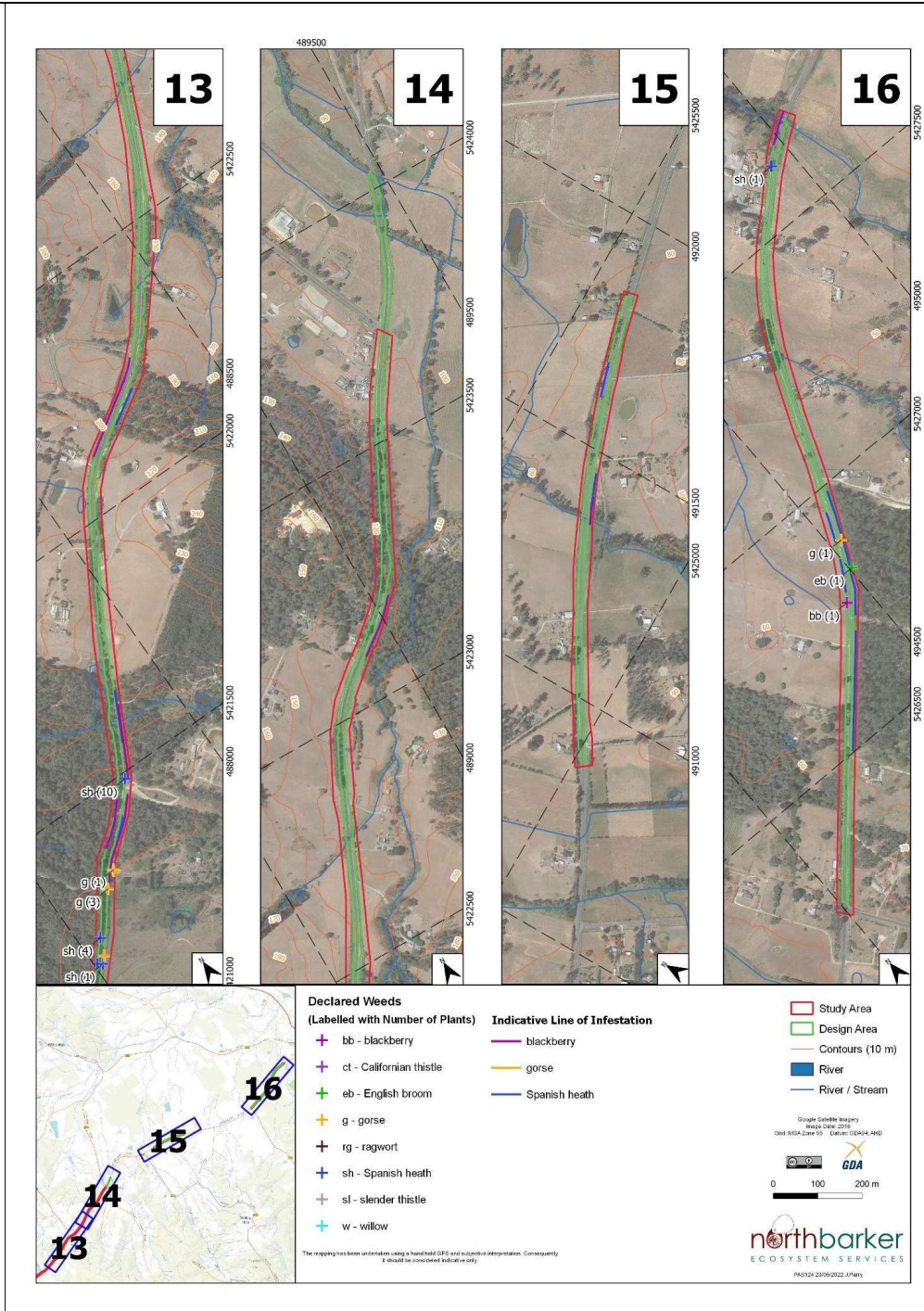


Figure 13: Map of declared weeds in the study area - Frames 13-16

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3.4. FAUNA OF CONSERVATION SIGNIFICANCE

A total of 27 threatened fauna species have been recorded as either occurring or having the potential to occur within 5km of the study site (Appendix E). Of these threatened species, the 7 most likely to use the site for both breeding and foraging is the eastern barred bandicoot, the Tasmanian devil, the Tasmanian masked owl, wedge-tailed eagle, swift parrot, and possibly eastern and spotted-tail quolls. These species most likely to breed and forage on site are discussed below.

Of the 27 additional species, 13 have no likelihood of occurrence and 8 have a very low or low likelihood. Of those with a moderate likelihood of occurrence, the majority may only utilise the area for occasional foraging (Appendix F).

The study area contains 10.18 ha of native woodland and remnant plants which constitute relatively poor habitat for threatened native fauna and do not include any critical habitat elements that are likely to impact the persistence of species within the local area.

3.4.1. EASTERN-BARRED BANDICOOT – *PERAMELES GUNNII* (- / VULNERABLE)

This species is listed under the EPBCA but not listed as threatened in Tasmania due to a stable and widespread population. It is resilient to various types of human disturbance and can reach higher than natural densities in peri urban environments. A development of this scale and nature thus has no likelihood of resulting in significant impacts upon the eastern barred bandicoot. Other than the footprint of the road itself, the modifications are unlikely to deter the species from utilising the site, as it is commonly found in non-native vegetation.

3.4.2. TASMANIAN DEVIL - *SARCOPHILUS HARRISII* (ENDANGERED / ENDANGERED) & SPOTTED-TAIL QUOLL – *DASYURUS MACULATUS* SUBSP. *MACULATUS* (RARE / VULNERABLE)

Devils and quolls have been recorded on numerous occasions from within both 500 m and 5 km of the study area, as recently as January 2021.

There is sufficient interconnected habitat to support Tasmanian devils. No evidence in the form of dens or scats / latrines was found during the study. The scale of habitat loss is not considered likely to have any meaningful impact upon the carrying capacity of the area for Tasmanian devils.

The study area is within the core range for both the spotted-tail and eastern quoll. As with the devil this study area could form part of a foraging range, however, the likelihood of there being a den in close proximity is considered low.

3.4.3. SWIFT PARROT – *LATHAMUS DISCOLOR* (ENDANGERED / CRITICALLY ENDANGERED)

Swift parrots spend the winter months in south-eastern mainland Australia before migrating to Tasmania in late winter/early spring to breed. During the breeding season, nectar from Tasmanian blue gum (*Eucalyptus globulus*) and black gum (*Eucalyptus ovata*) flowers is the primary food source for the species. These eucalypts are patchily distributed, and their flowering patterns are erratic and unpredictable, often leading to only a small proportion of swift parrot habitat being available for breeding in any one year.

Swift parrots have specific breeding habitat requirements (more so than most other forest-dwelling birds in Tasmania). As mentioned above, swift parrots require flowering eucalypts (*E. globulus* and *E. ovata*) to provide a food source. Potential nesting habitat requires eucalypt forest that contains hollow-bearing trees (of any *Eucalyptus* species). Nesting trees typically contain several hollows, have a trunk > 70 cm DBH, and have signs of advanced senescence. Breeding habitat likelihood decreases as the distance from viable foraging resources decreases. The northern extent of the study area is within an important breeding area, while the southern extent is in a potential breeding range. There are only 4 swift parrot records within this important breeding area, with the most recent being from 2010.

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The swift parrot has been recorded on 8 occasions within 5 km of the study area, although there are no recorded observations since 2010.

For nesting this species requires tree hollows adjacent (within 10 km) to food plants, which are primarily blue gums (*Eucalyptus globulus*) and black gums (*E. ovata*).

Field surveys recorded 46 trees within 10 m of the road reserve that constitute breeding habitat for swift parrot. The locations of these trees is presented in Figures 3-7. Of the 46 trees, 19 have potential to contain hollows suitable for breeding, based on having a trunk diameter > 70cm. The remaining 27 trees are all *Eucalyptus ovata*, with some foraging potential, based on a trunk diameter > 40cm, although most of these trees are in a relatively poor condition.

3.4.4. TASMANIAN MASKED OWL – *TYTO NOVAEHOLLANDIAE* SUBSP. *CASTANOPS* (ENDANGERED/VULNERABLE)

The Tasmanian masked owl is a nocturnal vertebrate predator that is most active at night, and roosts during the day. It feeds predominantly on introduced rodents and rabbits on agricultural land, and arboreal marsupials, terrestrial mammals, and native birds in less disturbed habitats. The Tasmanian subspecies' diet can vary greatly between sites, and individuals can switch between prey items depending on availability and prey size²⁷. The masked owl inhabits a diverse range of forests and woodlands including agricultural and forest mosaics. Forests with relatively open understoreys, particularly when these habitats adjoin areas of open or cleared land, are particularly favoured²⁸. The masked owl is generally found in territorial pairs, or as solitary individuals that are most likely juveniles²⁹. Pair bonds are life-long and pairs appear to occupy a permanent home range or territory³⁰. Breeding is reported to be highly seasonal in Tasmania³¹, with most females laying in mid-October to early November³². Nesting occurs in large tree hollows of living or dead trees, but sometimes in vertical spouts or limbs³³. Sexual maturity occurs at around 1 year of age, but age of first breeding is not reported³⁴. The Tasmanian subspecies' generation length is unknown but is estimated to be 5 years³⁵.

Nineteen trees with characteristic traits of hollow-bearing trees were recorded in the surveys, with 8 of these being over 100 cm DBH, with a higher likelihood of bearing hollows than the other 11 trees. One tree containing a hollow suitable for a masked owl was observed ~120 m north of Brushy Rivulet (Plate 22). The loss of hollow-bearing trees will impact on the potential nesting resource available for Tasmanian masked owls. There may be an additional impact to nesting habitat from noise disturbance during construction.

3.4.5. TASMANIAN WEDGE-TAILED EAGLE – *AQUILA AUDAX* SUBSP. *FLEAYI* (ENDANGERED/ENDANGERED)

A single nest is known from within 500 m of the study area, with an additional nest known from within 1 km. The nest within 500 m is located in a densely vegetated gully on the northern side of Brushy Rivulet. Other surveys in this area by NBES located this nest, and viewshed modelling has determined that it is not within viewshed of the road. One additional nest is known from within 1 km of the study area, on Black Sugarloaf Ridge. Given the distance (~920 m) from the study area, line of sight to this nest, although possible, it likely to be very minor. No other trees suitable for nesting were recorded in the study area, however it is likely that eagles forage in the area.

²⁷ Green (1982); Green and Rainbird (1985); Mooney (1992); Mooney (1993)

²⁸ Debus (1993); Bell *et al* (1997); Higgins (1999)

²⁹ Higgins (1999)

³⁰ Hill (1955); Kavanagh and Murray (1996)

³¹ Mooney (1997)

³² Green (1982); Mooney (1997)

³³ Bell *et al* (1997); Higgins (1999)

³⁴ Higgins (1999)

³⁵ Garnett and Crowley (2000)

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Plate 22: *Eucalyptus amygdalin* with hollow (Approximately 15 x 25 cm)

3.4.6. GREEN & GOLD FROG – *LITORIA RANIFORMIS* (VULNERABLE/VULNERABLE)

In Tasmania, the green and gold frog is found in lowland areas that are primarily coastal. They require permanent or temporary water bodies for survival and tend to inhabit ones containing emergent plants such as *Cyanogeton procerum* or species of *Juncus* or sedge. They are rarely seen in open water and spend most of their time in vegetation at the water's edges. They depend upon permanent fresh water for breeding, which occurs in Spring and Summer.

Records within 500 m of the study area are sparsely distributed, with one record on the Meander River, and one at a dam near Roxford Avenue most likely to contain the highest quality habitat. Habitat within the study area is marginal at best, with weedy creeks and culverts present. Green and gold frogs may utilise these for dispersal, but they do not represent significant breeding habitat, and as such have a very low chance of being resident within the study area. Within 5 km of the study area, important breeding habitat for this species is present, particularly at the Westbury Town Common.

4. POTENTIAL IMPACTS AND MITIGATION

The upgrade to Birralee and Frankford Roads includes the widening of shoulders, sealing, and surface upgrades. The concept design indicates that works will be largely confined within the existing road reserve.

4.1. VEGETATION

A total of 0.63 ha of native vegetation occurs within the design area and is expected to be impacted (Table 3). Given the nature of the works, there may be small areas of indirect impact to some areas of native vegetation, however considering the narrow works corridor, it would be unlikely that impacts would exceed a further hectare of native vegetation.

Three vegetation communities listed as threatened under the NCA will be impacted. This is 0.11 ha of *Eucalyptus amygdalina* forest and woodland on Cainozoic deposits (DAZ), 0.14 ha of *Eucalyptus ovata* forest and woodland (DOV), and 0.01 ha of *Melaleuca ericifolia* swamp forest (NME). Other vegetation impacted includes native eucalyptus forest, modified and regenerating, previously cleared areas that would primarily have supported DOV and DOB. No EPBCA listed threatened vegetation communities will be impacted (The impact to DOV is too small to warrant further assessment as the Tasmanian black gum / Brookers gum forest and woodland community – see Section 3.1.4 for further justification).

Although small areas of threatened vegetation may be impacted, designs have been modified to minimise the impact to these communities as much as is practical.

Areas of threatened vegetation that are not proposed to be impacted should be clearly demarcated on construction plans and, on the ground, to minimise the risk of inadvertent impacts to these area.

Table 3: Summary of impacts to vegetation communities (* Listed as threatened under the Tasmanian Nature Conservation Act 2002)

| TASVEG Code | Community Description | Area within Study Area (ha) | Area within Design Area (ha) |
|--------------------------------|--|-----------------------------|------------------------------|
| DAD | <i>Eucalyptus amygdalina</i> forest and woodland on dolerite | 3.00 | 0.36 |
| DAZ* | <i>Eucalyptus amygdalina</i> inland forest and woodland on Cainozoic deposits | 1.57 | 0.05 |
| DOB | <i>Eucalyptus obliqua</i> dry forest | 2.46 | 0.07 |
| DOV* | <i>Eucalyptus ovata</i> forest and woodland | 2.91 | 0.14 |
| DSC | <i>Eucalyptus amygdalina</i> – <i>Eucalyptus obliqua</i> damp sclerophyll forest | 0.25 | - |
| NAD | <i>Acacia dealbata</i> forest | 0.03 | - |
| NME* | <i>Melaleuca ericifolia</i> swamp forest | 0.10 | 0.01 |
| Total Native Vegetation | | 10.31 | 0.63 |
| FPE | Permanent easements | 2.51 | 0.01 |
| FRG | Regenerating cleared land | 1.09 | 0.03 |
| FUM, FAG, FUR | Other modified land units | 84.34 | 36.12 |
| Total | | 98.95 | 36.79 |

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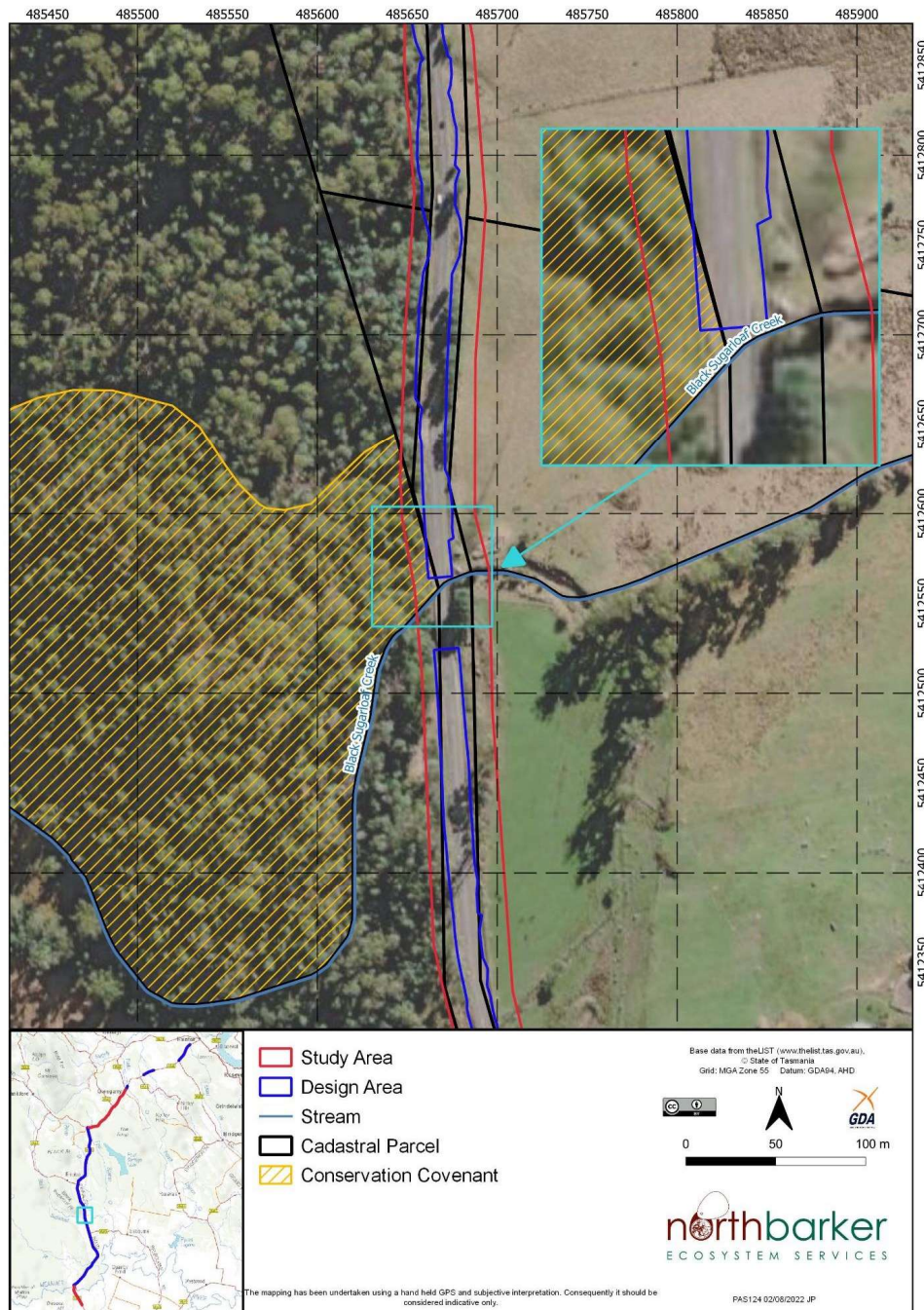


Figure 14: Conservation covenant impact overlapping the design area

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4.1.1. CONSERVATION COVENANTS

A small sliver of a conservation covenant intersect the current design area (~40 m²), near Black Sugarloaf Creek (Figure 14).

The covenant is matched to title boundaries that are not consistent with the situation on the ground. It can be expected as part of this project that titles will be corrected with the consequence that the covenant will be adjusted back to the correct location, being outside the road reserve. No impact will occur to natural values in the covenant, at least once corrected. No runoff or secondary impacts are anticipated. The covenant should be identified as an exclusion area for the contract to discourage its disturbance by the Contractor.

4.2. THREATENED FLORA

A total of 170 *Brunonia australis* (TSPA Rare) plants were recorded at two sites within the study area. The southernmost of these, outside of the Marneys Hill Reserve, contains approximately 70 plants, and is within the proposed design area. This occurrence is part of a much larger population within the Marneys Hill Reserve, which is thought to contain thousands of plants. The site further north, near Selbourne Road, contains approximately 100 plants. The project design has been modified to avoid impacting these plants. These occurrences should be clearly demarcated by a suitably qualified ecologist on the ground, as well as being clearly marked in any construction plans.

A permit to take threatened species will be required (issued by the Tasmanian Department of Natural Resources and Environment) for where the project cannot directly avoid occurrences of threatened flora listed under the TSPA, and/or is likely to impact individuals of threatened flora.

4.3. INTRODUCED PLANTS

In Zone A municipalities, eradication is the most appropriate management objective when a credible plan for eradicating existing infestations is being developed and implemented. The ultimate management outcome for Zone A municipalities is achieving and maintaining the total absence of that weeds from within municipal boundaries.

In Zone B municipalities, containment is the most appropriate management objective 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 gorse from existing infestations to areas free or in the process of becoming free of that weed.

All seven weeds recorded in the study area are listed as Zone B in the municipality that they occur in.

A project specific Weed and Hygiene Management Plan (WHMP) is required to ensure best practice weed management and compliance with relevant legislation. The WHMP must be linked to civil contractor requirements and should contain a thorough auditing process and the use of registers (for washdown for example) to ensure due process is followed. The WHMP should adhere to the principles of best practice guidelines (see NREs [formerly DPIPW] *Weed and Disease Planning and Hygiene Guidelines*³⁶) and relevant legislation, and contain requirements and prescriptions for:

- Weed removal and treatment prior to, during, and after works – post works survey requirements should include the surrounding area to limit the likelihood of new weeds establishing.
- Requirements for wash-down and inspections of all site plant equipment, including earth-moving machinery.

³⁶ DPIPW (2015b)

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- Specifications around the relocation, importation and reuse of soil, substrate, and plant material during works – critically, this will need to cover the debris from existing infestations following vegetation clearance, which is likely to require deep burial or an equivalent treatment.
- The facility should have a Weed Management Strategy in place for the lifetime of operations, covering weed control at the site and adjacent to the access roads.

4.4. THREATENED FAUNA

4.4.1. SWIFT PARROT

The loss of native vegetation will result in the loss of some potential threatened fauna habitat. Impacts to medium-large black gums (*Eucalyptus ovata*) and the nesting and foraging they may provide for the swift parrot (*Lathamus discolor*) constitute the most significant potential impact. Given the large tracts of viable foraging habitat in the broader area, impacts to a small number of trees will not significantly detract from the foraging habitat for swift parrots. All breeding habitat trees (black gums 40-70 cm and all species of eucalypt > 70 cm) fall outside the limit of works and will not be directly removed. Excavations in close proximity to the root zones of some of these trees may impact on their viability. However, considering the likely timeframe of decline and scale of loss (number of trees) in the context of the extent of available habitat in the vicinity, these impacts are not likely to have a significant adverse impact on breeding success of swift parrots.

4.4.2. TASMANIAN MASKED OWL

It is our understanding that no trees containing significant habitat value for the Tasmanian masked owl - *Tyto novaehollandiae* subsp. *castanops*) are proposed to be removed due to the shoulder widening works. Even where large trees are within 10 m of the road, it is unlikely that the works will significantly impact the health of these trees, due to the existing impact of the road surface to the tree protection zone (TPZ). The TPZ is calculated as 12x the DBH of the tree. It is unlikely that the structural root zone (SRZ) of any tree will be impacted (beyond the existing road surface impact).

A single hollow-bearing tree was recorded near Brushy Rivulet, with the hollow being of a suitable size for a masked owl. Given the proximity to the busy heavy vehicle corridor of Birrale Road, it is unlikely that an owl would use this tree for nesting, given the availability of equivalent or higher quality nesting habitat within the nearby Marneys Hill Reserve.

Works within the vicinity of habitat trees should be constrained by exclusion zones (5 m is recommended. this is comfortably greater than the maximum SRZ for any tree that has been recorded during the survey) to ensure no inadvertent and unnecessary damage to the root protection zones. Exclusion zones of the TPZ of large trees (maximum 15 m) is recommended where practical.

4.4.3. TASMANIAN DEVILS, QUOLLS & BANDICOOTS

There is sufficient interconnected habitat to support Tasmanian devils and quolls. No evidence in the form of dens or scats / latrines was found during the study. The scale of habitat loss is not considered likely to have any meaningful impact upon the carrying capacity of the area for Tasmanian devils.

Eastern barred bandicoots are resilient to various types of human disturbance and can reach higher than natural densities in peri urban environments. Works of this nature are unlikely to impact upon this species.

Pre-clearance surveys covering a buffer of 50 m from the design area are required as a standard practice for all construction works. These surveys must be conducted in accordance with the current NRET survey guidelines³⁷. A re-clearance check and unanticipated den discovery protocol is in Appendix G.

³⁷ Natural and Cultural Heritage Division (2015)

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Provided pre-clearance surveys are conducted, the scope of the proposed works will not have a significant impact to any threatened fauna MNES.

4.4.4. TASMANIAN WEDGE-TAILED EAGLES

An eagle nest has been known at a site near Brushy Rivulet since 2005. This nest is approximately 415 m northwest of Birralee Road. Surveys by NBES relocated this nest and was deemed in viable condition as of November 2021. Subsequent nest activity assessments for this nest were conducted and it was found to be inactive for the 2021-22 season, and was also inactive in the 2020-21 season. There are no reports of activity on the NVA since the nest was first observed, indicating that it is not currently the preferred nest of a resident pair.

An additional nest on Black Sugarloaf Ridge is within 1 km of the study area (~920 m away). While it is possible that there is some line-of-sight to this nest, if there is it is very minor. Noting that complete avoidance of areas within 500 m direct distance and/or 1 km line-of-sight is not possible in this instance, the following are recommended:

- If possible, all works within 500 m direct distance and/or 1 km line of sight of known nests should be completed outside of the eagle breeding season, which spans from the beginning of July until the end of January, and is extended into February in seasons where breeding progress is later than normal, which is determined annually by the Forest Practices Authority around November (also noting the breeding season can be taken to start as early as June 1st for white-bellied sea eagles, which are not thought to occupy any of the known nests in proximity to the design corridor, but which could nest in the area).
- If works in all these areas cannot be completed outside of the breeding season, the annual activity status of respective nests can be taken into account, noting that breeding season constraints only need to apply around active nests.
- Activity can only be reliably assessed with an aerial survey³⁸ and cannot be undertaken until October/November each season – as a result, activity must be assumed, and constraints applied accordingly (i.e. no works), from the commencement of the season each year until an activity assessment proves a nest is inactive for that season:
 - If a nest is found to be definitively inactive for that season, no constraints will be required on works for the remainder of that breeding season (with constraints to recommence at the beginning of the next season); or
 - If a nest is found to be active for that season, no works should occur within 500 m and/or 1 km line of sight until the conclusion of that season (either end of January or within February in a late season).
- If the proponent/contractor is compelled to undertake works within 500 m direct distance and/or 1 km line of sight of a known eagle nest within the breeding season in a year when the specific nest is active, or assumed to be active due to not having been subject to an activity assessment, it may be possible for works to be completed without causing unacceptable disturbance to the nest – for this to be determined however, would require a case specific nest disturbance mitigation plan informed by expert advice and with input from relevant authorities, and no such works should be undertaken without such a plan in place.

4.4.5. GREEN & GOLD FROGS

There is no suitable breeding habitat for green and gold frogs within the study area, with small creeks and culverts offering dispersal habitat only. The scale of the proposed works will not directly impact this species or its preferred habitat. Works will take place around potential migration pathways associated

³⁸ With ground surveys not recommended and being applicable only to nests which adequate vantage points to view into the nest while not risking disturbance

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with creek and drain crossings. Works to culverts may impact on their suitability to provide safe passage under the road. There is also a low chance of direct impacts should migrating frogs happen to be occupying drains and culverts during works. Temporary blocking of culverts during construction or long term changes that prevent frog movement may inhibit frogs from dispersing successfully. Hazards such as barriers to movement and open trenches may cause frogs to be trapped, and frogs may be killed by machinery or moving materials if they enter culverts or drains while construction is active. If frogs are forced to cross over the road rather than using culverts, there is a risk of road-kill.

4.4.5.1. Frog sensitive culvert design

Though new culverts are not being created, but rather current culverts extended, there are still measures that can be taken to ensure these are as safe and conducive to *L. raniformis* movement as possible. The following recommendations are taken from the Green and Gold Frog (*Litoria raniformis*) Management Guidelines³⁹.

- Shape

Culverts should be flared at either end and have a flat base. They should be straight so that there is visibility from one side of the underpass to the other.

- Entrance wetland

Due to the limited water availability in the landscape, with only ephemeral running water in creeks and drainage lines, some aspects of the entrance wetland described in the Management Guidelines would be extremely difficult to achieve. However, where with more permanent creek crossings a suitable ephemeral zone can be created in a minimum 5 m radius of the entrance to the culvert. Indigenous plants adapted to infrequent or seasonal inundation could be planted in this area. Rocks and logs should be scattered to provide cover and warm areas for thermoregulation. Gradient into the pooling area around the culvert should be no steeper than 1:8. The pooling area and entrance to the culvert should be lined with rocks. Revegetation and rock lining can extend to swales where they meet with the entrance to the culvert.

- Fencing

At highly prospective culvert sites for green and gold frog drift fences should be installed to funnel frogs into the culvert drainage lines / creeks at either end. This can be solid, such as concrete, or a mesh structure. Fencing should 1 m high, reach 0.2 m below ground and have a 0.2 m outward angled section at the top.

Table 4 identifies culverts that warrant application of frog sensitive culvert design.

Table 4: Culverts that warrant frog sensitive culvert design

NB. The assessment is limited to Stage 1 within the southern half of Birraleee Main Road Link 08. Culvert designs have not been developed for the remainder of the project area.

| Culvert chainage | Design Prescriptions |
|------------------|-------------------------|
| 3852 | Shape, Entrance wetland |

³⁹ (Department of State Growth, 2015)

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4.4.5.3. Chytrid management

There is a small chance of Chytrid fungus being introduced to waterways used by green and gold frogs if hygiene measures are not in place.

The following measures will avoid introduction of Chytrid Fungus.

- Construction stockpiles, machinery, roads, and other infrastructure should be placed away from areas supporting native vegetation and waterways; and placed in previously cleared or hardstand areas.
- Mitigate for the spread of Chytrid Fungus. Where waterways, including drainage lines, are to be impacted during construction, hygiene and sedimentation protocols to prevent the spread of fungal spores to new waterbodies, should be implemented.
- Specifically:
 - The contractor must have machinery, vehicles and equipment clean from soil and mud when they commence works on site.
 - Equipment, including vehicles and footwear, must be treated with F10 disinfectant (proven to be effective against chytrid at very low concentrations) before each occasion entering and/or working in the frog habitat areas (to be identified prior to commencement of works) – treated items need to be completely dry before entering/being used in the frog habitat areas.

4.5. SUMMARY OF IMPACTS

The impacts to natural values based on the concept designs are summarised in Table 4.

Table 5: Summary of impacts to natural values from proposed road upgrade

| Natural value | Potential impacts | Context and comments on mitigation ¹ |
|---|---|--|
| EPBCA ecological communities | | |
| Tasmanian black gum / Brookers gum forest and woodland community | Impact to ~0.14 ha of DOV | <p>The study area includes 2.91 ha of this community and is one of the dominant vegetation types in the study area. This community occurs in the north of the Birrallee study area. Patches of DOV within the study area are generally in good condition and with high species diversity, with weeds only prevalent near the road reserve boundaries.</p> <p>This community occurred across two areas that were previously mapped on TASVEG as DOV, totalling ~49 ha, and subsequently these areas were prioritised for avoidance on the assumption that these patches would qualify for listing.</p> <p>Subsequent designs have managed to avoid these patches, with only very minor areas intersecting the design area within the road reserve. Considering the revision of the design, the very minor overlap with this community, and the condition of the vegetation immediately adjacent to the road reserve, a formal assessment was deemed not to be necessary for the DOV patches recorded, as there is no chance of significant impacts this MNES.</p> |
| NCA listed threatened vegetation communities (TASVEG units) | | |
| (DAZ) <i>Eucalyptus amygdalina</i> inland forest and woodland on Cainozoic deposits | Meander Valley Council: 0.05 ha West Tamar Council: 0 ha Total: 0.05 ha | <p>Total extent in Tasmania: 22,300 ha Total extent in Tasmanian reserve estate: 7,200 ha Total extent in Meander Valley Council: 2,600 ha Total extent in reserves in Meander Valley Council: 300 ha Total extent in West Tamar Council: 800 ha Total extent in reserves in West Tamar Council: 80 ha</p> |
| (DOV) <i>Eucalyptus ovata</i> forest and woodland | Meander Valley Council: 0.13 ha | <p>Total extent in Tasmania: 16,400 ha Total extent in Tasmanian reserve estate: 4,900 ha</p> |

¹ Includes statements from NRET Threatened Species Link summaries and note sheets

| Natural value | Potential impacts | Context and comments on mitigation ¹ |
|--|---|---|
| | West Tamar Council: 0.01 ha Total: 0.14 ha | Total extent in Meander Valley Council: 2,600 ha Total extent in reserves in Meander Valley Council: 800 ha Total extent in West Tamar Council: 1,100 ha Total extent in reserves in West Tamar Council: 200 ha |
| (NME) <i>Melaleuca ericifolia</i> swamp forest | Meander Valley Council: 0 ha West Tamar Council: 0.01 ha Total: 0.01 ha | Total extent in Tasmania: 9,800 ha Total extent in Tasmanian reserve estate: 3,900 ha Total extent in Meander Valley Council: 3 ha Total extent in reserves in Meander Valley Council: 2 ha Total extent in West Tamar Council: 200 ha Total extent in reserves in West Tamar Council: 60 ha |
| Other native vegetation communities (TASVEG units) | | |
| (DAD) <i>Eucalyptus amygdalina</i> forest and woodland on dolerite | Meander Valley Council: 0.36 ha West Tamar Council: 0 ha Total: 0.36 ha | Total extent in Tasmania: 156,100 ha Total extent in Tasmanian reserve estate: 47,700 ha Total extent in Meander Valley Council: 9,300 ha Total extent in reserves in Meander Valley Council: 1,900 ha Total extent in West Tamar Council: 7,100 ha Total extent in reserves in West Tamar Council: 600 ha |
| (DOB) - <i>Eucalyptus obliqua</i> dry forest | Meander Valley Council: 0 ha West Tamar Council: 1.72 ha Total: 1.72 ha | Total extent in Tasmania: 182,700 ha Total extent in Tasmanian reserve estate: 82,300 ha Total extent in Meander Valley Council: 4,300 ha Total extent in reserves in Meander Valley Council: 1,900 ha Total extent in West Tamar Council: 5,600 ha Total extent in reserves in West Tamar Council: 3,400 ha |
| (DSC) - <i>Eucalyptus amygdalina</i> – <i>Eucalyptus obliqua</i> damp sclerophyll forest | Meander Valley Council: 0 ha West Tamar Council: 0 ha Total: 0 ha | Total extent in Tasmania: 49,300 ha Total extent in Tasmanian reserve estate: 18,000 ha Total extent in Meander Valley Council: 22,800 ha Total extent in reserves in Meander Valley Council: 9,300 ha Total extent in West Tamar Council: 1,500 ha Total extent in reserves in West Tamar Council: 400 ha |
| (NAD) – <i>Acacia dealbata</i> forest | Meander Valley Council: 0 ha | Total extent in Tasmania: 41,500 ha Total extent in Tasmanian reserve estate: 2,600 ha |

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| Natural value | Potential impacts | Context and comments on mitigation ¹ |
|---|---|---|
| Covenant ID: 1335606 – Black Sugarloaf Rivulet | West Tamar Council: 0 ha Total: 0 ha | Total extent in Meander Valley Council: 4,900 ha Total extent in reserves in Meander Valley Council: 1,900 ha Total extent in West Tamar Council: 800 ha Total extent in reserves in West Tamar Council: 200 ha |
| Conservation covenant | | |
| Based on the current study results, approximately 200 plants may be impacted, however may be more widespread. | ~40 m ² . No impact will occur to natural values in the covenant, at least once corrected. | The covenant is matched to title boundaries that are not consistent with the situation on the ground. It can be expected as part of this project that titles will be corrected with the consequence that the covenant will be adjusted back to the correct location, being outside the road reserve. No runoff or secondary impacts are anticipated. The covenant should be identified as an exclusion area for the contract to discourage its disturbance by the Contractor. |
| Threatened flora | | |
| <i>Brunonia australis</i> blue pincushion TSPA Rare | Based on the current study results, approximately 200 plants may be impacted, however may be more widespread. | Numerous records in vicinity, with dense clusters of records in the vicinity of Marney's Hill Reserve which is likely to support upwards of 10,000 plants. 70 plants in road reserve form part of this population will be lost. A second smaller outlying population near Selbourne Road is within the road reserve but outside the limit of works. This can be protected through exclusion fencing for the duration of works. |
| Threatened fauna habitat | | |
| <i>Dasyurus maculatus</i> subsp. <i>maculatus</i> Spotted-tailed quoll EPBCA Vulnerable TSPA Rare <i>Dasyurus viverrinus</i> Eastern quoll EPBCA Endangered TSPA Not listed <i>Sarcophilus harrisi</i> Tasmanian devil | Negligible impacts anticipated. | There is sufficient interconnected habitat to support Tasmanian devils and quolls. No evidence in the form of dens or scats / latrines was found during the study. The scale of habitat loss is not considered likely to have any meaningful impact upon the carrying capacity of the area for these species. The study area is within the core range for both the spotted-tail and eastern quoll. As with the devil this study area could form part of a foraging range, however, the likelihood of there being a den in close proximity is considered low. Pre-clearance surveys consistent with NRET guidelines (Appendix G) are suggested to eliminate any potential impacts. |

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| Natural value | Potential impacts | Context and comments on mitigation ¹ |
|--|---|--|
| EPBCA Endangered, TSPA Endangered | | |
| <i>Perameles gunnii</i> Eastern barred bandicoot EPBCA Vulnerable, TSPA not listed | Negligible impacts anticipated. | Widespread in Tasmania and resilient to disturbance. No critical habitat elements will be lost in the area due to the proposal and suitable habitat extends beyond the study area in the broader area. Direct impacts to individual fauna are considered to be extremely unlikely with this proposal due to the nature of the species and the fact that the site will be busy with foot and small-vehicle traffic during work preparation and this is likely to scare animals away prior to the use of large machinery. |
| <i>Lathamus discolor</i> Swift parrot EPBCA Critically Endangered, TSPA Endangered | There is an expectation that potential habitat trees will be retained throughout the study area. Negligible impacts anticipated. | Given the large number of foraging trees within the greater area, impact to a small number of trees would not be considered likely to have a significant impact on foraging habitat for this species. It is our understanding that none of the breeding habitat trees (19 potential hollow bearing trees (DBH > 70cm) and an additional 27 black gums (foraging only trees 40-70cm DBH)) will be directly removed for the works. Impacts within the tree protection zones of some of the trees in closest proximity to the earthworks may result in reduced viability although the anticipated scale of losses is not considered significant. Place 5m exclusion zones around all retained trees. |
| <i>Tyto novaehollandiae</i> subsp. <i>castanops</i> Tasmanian masked owl EPBCA Vulnerable, TSPA Vulnerable | There is an expectation that potential habitat trees will be retained throughout the study area. | It is unlikely that a masked owl would utilise trees in close proximity to the busy heavy vehicle corridor given the availability of suitable nesting trees in more remote sites nearby. If hollow bearing trees are to be removed, the hollows will be required to be decommissioned prior to works. Place 5 m exclusion zones around all retained trees (this is comfortable greater than the maximum structural root zone (SRZ) for any tree that has been recorded during the survey.). Exclusion zones of the TPZ of large trees (maximum 15 m) is recommended where practical. |

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5. LEGISLATIVE IMPLICATIONS

5.1. COMMONWEALTH *ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999*

The EPBCA is structured for self-assessment; the proponent must determine whether the project has the potential for significant impacts to Matters of National Environmental Significance (MNES) and thus the potential to be a 'controlled action', which, if confirmed, would require assessment and approval from the Commonwealth Minister.

Referral under the EPBC Act will be necessary if, as the Act states:

'An action has, will have, or is likely to have a significant impact on an endangered or vulnerable species if it does, will, or is likely to (amongst other things):

modify, destroy, remove, isolate, or decrease the availability or quality of habitat to the extent that the species is likely to decline.'

The proposal has no likelihood of significant impacts in relation to MNES threatened flora and fauna – as such it does not warrant referral in relation to these values.

Wide ranging listed marsupials in the area are unlikely to suffer any significant impact from localised widening of an existing highway.

Impact to 0.14 ha of DOV forest will not constitute a significant impact to the threatened Tasmanian Black Gum and Brookers Gum Forests and Woodlands community. Further assessment for qualification of patches is not warranted.

5.2. TASMANIAN *THREATENED SPECIES PROTECTION ACT 1995*

Any impact on threatened plant or animal species listed under the TSPA will require a 'permit to take' from the Conservation Assessments branch at the Department of Natural Resources and Environment (NRE). Based on the impact from the final design it is recommended that an application is made for a permit in relation to the following species:

- *Brunonia australis* (70 plants)

5.3. TASMANIAN *WEED MANAGEMENT ACT 1999*

All seven of the declared weeds found in the study area are classed as Zone B species within the council areas that they were recorded within (Meander Valley and West Tamar Councils).

According to the provisions of the *Weed Management Act 1999* (WMA), Zone B municipalities are those that host infestations of the 'declared weed' that are not deemed eradicable because the feasibility of effective management is low at this time. Therefore, the objective is containment of infestations. The objective includes preventing spread of the 'declared weed' from the municipality and preventing spread to properties currently free of them. There is a requirement to prevent spread of the 'declared weeds' to properties containing sites for significant flora, fauna and vegetation communities.

5.4. TASMANIAN *LAND USE AND PLANNING APPROVALS ACT 1993*

LUPAA states that 'in determining an application for a permit, a planning authority must (amongst other things) seek out the objectives set out in Schedule 1'. Schedule 1 includes the 'objectives of the *Resource Management and Planning System of Tasmania*', which includes (amongst other things):

'to promote sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity.'

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Sustainable development includes 'avoiding, remedying or mitigating any adverse effects of activities on the environment'.

By conforming to the required Acts above and following the recommendations below, the proponent will satisfy the requirements of LUPAA.

5.5. TASMANIAN PLANNING SCHEME – MEANDER VALLEY & WEST TAMAR

Meander Valley

The road corridor is captured within the Utilities Zone. Widening may extend the impact footprint into the Rural Resource and Rural Living.

West Tamar

The highway corridor is captured within the Utilities Zone. Widening extends the development footprint into the Rural Resource, Rural Living and Recreation Zones (Glengarry Post Office).

Provided that the area of impact is contained within 3 m of the existing road reserve, the proposed works are exempt from the scheme under clause 4.2.4 of the scheme, which states:

| | | |
|-------|-----------|--|
| 4.2.4 | Roadworks | <i>Maintenance and repair of roads and upgrading by or on behalf of the road authority which may extend up to 3m outside the road reserve including:</i> |
| | | <i>(a) widening or narrowing of existing carriageways.</i> |
| | | <i>(b) making, placing, or upgrading kerbs, gutters, footpaths, shoulders, roadsides, traffic control devices, line markings, street lighting, safety barriers, signs, fencing and landscaping, unless the Local Historic Heritage Code applies and requires a permit for the use or development; or</i> |
| | | <i>(c) repair of bridges, or replacement of bridges of similar size in the same or adjacent location.</i> |

Based on the concept designs that have been supplied by the proponent, all works will be contained within 3 m of the edge of the road reserve and is therefore does not require a permit under the Tasmanian Planning Scheme.

6. RECOMMENDATIONS

Our results and analyses have established that if our recommendations for mitigation are followed the proposal should be able to proceed without resulting in a significant impact to MNES and that it is not likely to have a significant detrimental impact on values listed as threatened under other Acts or considered as conservation significant for other reasons.

The following impact mitigation/legislative requirements for vegetation communities, threatened flora, threatened fauna habitats and machinery / weed hygiene protocols should be followed:

Vegetation

- Areas of threatened vegetation that are not proposed to be impacted should be clearly demarcated on construction plans and, on the ground, to minimise the risk of inadvertent impacts to these areas.
- A small (40 m²) area of conservation covenant overlaps the current design at Black Sugarloaf Rivulet. The covenant is matched to title boundaries that are not consistent with the situation on the ground. It can be expected as part of this project that titles will be corrected with the consequence that the covenant will be adjusted back to the correct location, being outside the road reserve. No impact will occur to natural values in the covenant, at least once corrected. No runoff or secondary impacts are anticipated. The covenant should be identified as an exclusion area for the contract to discourage its disturbance by the Contractor.

Threatened Flora

- Prepare a permit application in accordance with the Tasmanian *Threatened Species Protection Act 1995* (TSPA) for impacts to 70 *Brunonia australis* plants.
- A site containing ~100 plants near Selbourne Road are not within the development footprint. These occurrences should be clearly demarcated by a suitably qualified ecologist on the ground, as well as being clearly marked in any construction plans.

Introduced Plants

- Sixty-three introduced species were recorded during the survey, including seven species listed as 'declared' weeds under the Tasmanian *Weed Management Act 1999*. Several non-declared environmental weeds were also recorded.
 - A project specific Weed and Hygiene Management Plan (WHMP) is required to ensure best practice weed management and compliance with relevant legislation.
 - Weed removal and treatment prior to, during, and after works – post works survey requirements should include the surrounding area to limit the likelihood of new weeds establishing.
 - Requirements for wash-down and inspections of all site plant equipment, including earth-moving machinery.
 - Specifications around the relocation, importation and reuse of soil, substrate, and plant material during works – critically, this will need to cover the debris from existing infestations following vegetation clearance, which is likely to require deep burial or an equivalent treatment.

Threatened Fauna

- No trees of habitat value are identified for removal as all are located outside the limit of works. Earthworks within the root zones of some trees may adversely affect their long term viability.

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- Should potential habitat trees become unhealthy/unsafe, and are considered likely to contain hollows, they should be assessed by a qualified tree climber to ascertain the presence/absence of threatened fauna prior to tree removal.
- Exclusion zones around the root zones of habitat trees should be applied within the adjacent road reserve outside the limit of works.

Prior to Construction

In the works contract:

1. Prepare a *Vegetation Management Plan* for the Contract Area to ensure retained sites of threatened flora are protected and managed during the period of the Contract. Protect the significant plant species, vegetation communities and habitat trees in the immediate vicinity of works. Specifically:
 - a. identify significant sites in Contract Specifications,
 - b. if avoidance is feasible, tape/flag off the locations of the patches of threatened species/communities' habitat that occur within the Contract area to prevent any incursion by machinery or soil material. It is recommended that an experienced botanist is present during initial site setup to ensure adequate protection of threatened species.
 - c. avoid dumping of fill under trees or root compaction by machinery within 5 m of trees to be retained.
2. Prepare a *Weed Management Plan* to control 'declared' weeds throughout the works area and environmental weeds within patches of native vegetation. Specifically:
 - a. plan for targeted pre-works control to reduce propagule pressure during works;
 - b. ensure excavated soil from weed affected areas is not spread to weed free areas and preferably is buried beneath 500 mm of fill;
 - c. include prescriptions for hygiene measures during work; and
 - d. allow for targeted weed treatment on completion of works and during follow-up. This should include annual weed control on the site for up to five years following completion, to specifically target weeds that have exploited the disturbances associated with earthworks.

Regulatory commitment by State Growth

1. Undertake any auditing and reporting in accordance with relevant permit conditions. Ideally involvement of the chosen environmental auditor is made from the beginning of the project rather than after completion.

Additional considerations

1. If the contractor identifies additional areas for disturbance during works, these must be assessed appropriately, and permits amended if necessary. Such alterations may include, but may not be limited to, sites for dumping surplus fill, sources of additional fill (quarries), site offices, temporary storage, parking areas, *etc.*
2. No suspected threatened fauna dens are likely to be impacted by the proposal. Nonetheless, if potential dens for species such as the Tasmanian devil, the eastern quoll and/or the spotted-tailed quoll are identified within 50 m of the impact area during works, appropriate advice will be sought on a course of action from DPIPW and/or consultant ecologists. In this scenario, an appropriate course of action is likely to involve an activity assessment of the potential den, camera monitoring, and potentially decommissioning if the den was confirmed to be vacant.

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3. Coordinate tree removal to take place outside the bird nesting season. Follow best practice management when felling trees ensuring all operations are conducted in accordance with the Department of State Growth Tree Felling Protocol.

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APPENDIX A: VASCULAR PLANT SPECIES BY COMMUNITY

Site: 1 FPS - Birraleed Road - South of Brushy Rivulet

Grid Reference: 485728E, 5407455N
 Accuracy: within 100 metres
 Recorder: Fiona Walsh
 Date of Study: 16 Mar 2021

Tall Shrubs: *Acacia dealbata subsp. dealbata*
 Shrubs: *Epacris impressa*
 Herbs: *Gonocarpus tetragynus, Isolepis sp., Linum marginale, Oxalis corniculata subsp. corniculata, Viola hederacea*

Graminoids: *Lepidosperma elatius, Lomandra longifolia*
 Grasses: *Themeda triandra*
 Ferns: *Pteridium esculentum subsp. esculentum*
 Weeds: *Acetosella vulgaris, Arrhenatherum elatius var. bulbosum, Cirsium vulgare, Erica lusitanica, Holcus lanatus, Hypochaeris radicata, Lysimachia arvensis, Pinus radiata, Rubus fruticosus, Sonchus oleraceus, Ulex europaeus*

Site: 2 DAZ - Birraleed Road - South of Brushy Rivulet

Grid Reference: 485557E, 5407189N
 Accuracy: within 100 metres
 Recorder: Fiona Walsh
 Date of Study: 16 Mar 2021

Trees: *Eucalyptus amygdalina, Eucalyptus viminalis subsp. viminalis*
 Tall Shrubs: *Acacia dealbata subsp. dealbata, Bursaria spinosa subsp. spinosa, Exocarpos cupressiformis*
 Herbs: *Linum marginale*
 Graminoids: *Lomandra longifolia*
 Weeds: *Arrhenatherum elatius var. bulbosum, Erica lusitanica, Holcus lanatus, Hypochaeris glabra, Plantago lanceolata, Rubus fruticosus, Ulex europaeus*

Site: 3 DAZ - Birraleed Road - South of Brushy Rivulet

Grid Reference: 485944E, 5407834N
 Accuracy: within 100 metres
 Recorder: Fiona Walsh
 Date of Study: 16 Mar 2021

Trees: *Acacia melanoxylon, Eucalyptus amygdalina, Eucalyptus viminalis subsp.*
 Tall Shrubs: *Acacia dealbata subsp. dealbata, Banksia marginata, Bursaria spinosa subsp. spinosa, Exocarpos cupressiformis*
 Shrubs: *Epacris impressa, Micranthemum hexandrum, Pimelea nivea*
 Low Shrubs: *Astroloma humifusum*
 Herbs: *Hypericum japonicum*
 Graminoids: *Juncus procerus, Lepidosperma elatius, Lomandra longifolia*
 Grasses: *Poa labillardierei, Themeda triandra*
 Ferns: *Pteridium esculentum subsp. esculentum*
 Weeds: *Anthoxanthum odoratum, Arrhenatherum elatius var. bulbosum, Brassica rapa, Crataegus monogyna, Dactylis glomerata, Holcus lanatus, Lysimachia arvensis, Rubus fruticosus, Sonchus oleraceus*

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Site: 4 FPS - NBA - DAD - North of Black Sugarloaf Creek

Grid Reference: 485542E, 5413437N
Accuracy: within 100 metres
Recorder: Fiona Walsh
Date of Study: 16 Mar 2021

Trees: *Eucalyptus amygdalina*
Tall Shrubs: *Acacia dealbata* subsp. *dealbata*, *Allocasuarina monilifera*, *Bursaria spinosa* subsp. *spinosa*, *Pomaderris apetala*

Shrubs: *Bossiaea prostrata*, *Olearia lirata*
Low Shrubs: *Astroloma humifusum*, *Pimelea humilis*
Herbs: *Acaena novae-zelandiae*, *Gonocarpus tetragynus*, *Hypericum japonicum*,
Graminoids: *Juncus pallidus*, *Lepidosperma elatius*, *Lomandra longifolia*
Grasses: *Poa labillardierei*, *Themeda triandra*
Ferns: *Pteridium esculentum* subsp. *esculentum*
Weeds: *Arrhenatherum elatius* var. *bulbosum*, *Centaureum erythraea*, *Cirsium vulgare*, *Crataegus monogyna*, *Dactylis glomerata*, *Erica lusitanica*, *Hypochaeris glabra*, *Lysimachia arvensis*, *Pinus radiata*, *Populus* sp., *Rubus fruticosus*, *Trifolium subterraneum*, *Ulex europaeus*

Site: 5 DOV - Birralees Road - Four Springs Creek

Grid Reference: 486170E, 5419224N
Accuracy: within 100 metres
Recorder: Fiona Walsh
Date of Study: 17 Mar 2021

Trees: *Acacia melanoxylon*, *Eucalyptus amygdalina*, *Eucalyptus ovata* var. *ovata*
Tall Shrubs: *Acacia dealbata* subsp. *dealbata*, *Leptospermum lanigerum*, *Leptospermum scoparium*, *Melaleuca ericifolia*, *Ozothamnus thyrsoides*

Shrubs: *Bossiaea prostrata*, *Epacris lanuginosa*, *Olearia glandulosa*, *Pultenaea juniperina*
Low Shrubs: *Hibbertia serpyllifolia*, *Pimelea humilis*
Herbs: *Acaena novae-zelandiae*, *Geranium potentilloides* var. *potentilloides*,
Gonocarpus tetragynus, *Hypericum japonicum*, *Isolepis* sp., *Oxalis corniculata* subsp. *corniculata*, *Viola hederacea*, *Wahlenbergia multicaulis*
Graminoids: *Baumea tetragona*, *Gahnia grandis*, *Juncus holoschoenus*, *Lepidosperma elatius*, *Lomandra longifolia*, *Tetraria capillaris*
Grasses: *Austrostipa rudis* subsp. *australis*, *Poa labillardierei*, *Tetrarrhena distichophylla*, *Themeda triandra*
Ferns: *Pteridium esculentum* subsp. *esculentum*
Weeds: *Anthoxanthum odoratum*, *Centaureum erythraea*, *Cirsium vulgare*, *Erica lusitanica*, *Hypochaeris glabra*, *Lotus corniculatus*, *Lysimachia arvensis*, *Rubus fruticosus*, *Trifolium subterraneum*

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Site: 6 DAZ - Frankford Road - West of Birralee Road

Grid Reference: 485344E, 5420560N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 15 Mar 2021

Trees: *Eucalyptus amygdalina*, *Eucalyptus obliqua*
Tall Shrubs: *Acacia dealbata* subsp. *dealbata*, *Allocasuarina littoralis*, *Banksia marginata*,
Leptospermum lanigerum, *Leptospermum scoparium*, *Melaleuca squarrosa*,
Oxylobium ellipticum, *Pomaderris apetala*
Shrubs: *Bauera rubioides*, *Bossiaea prostrata*, *Epacris impressa*, *Epacris lanuginosa*,
Leptecophylla pogonocalyx ssp. *decipiens*, *Melaleuca squamea*, *Pultenaea*
Low Shrubs: *Acacia myrtifolia*, *Hibbertia procumbens*, *Hibbertia serpyllifolia*, *Pimelea humilis*
Herbs: *Acaena novae-zelandiae*, *Coronidium scorpioides*, *Dianella tasmanica*, *Euchiton*
japonicus, *Gonocarpus tetragynus*, *Goodenia lanata*, *Isolepis* sp., *Linum*
marginale, *Ranunculus amphitrichus*, *Stylidium graminifolium*, *Xanthosia pilosa*
Graminoids: *Diplarrena moraea*, *Empodisma minus*, *Gahnia grandis*, *Gymnoschoenus*
sphaerocephalus, *Juncus holoschoenus*, *Lepidosperma elatius*, *Leptocarpus*
tenax, *Lomandra longifolia*, *Tetraria capillaris*
Grasses: *Austrostipa rudis* subsp. *australis*, *Poa labillardierei*, *Themeda triandra*
Ferns: *Blechnum nudum*, *Blechnum wattsi*, *Gleichenia microphylla*, *Pteridium*
esculentum subsp. *esculentum*
Climbers: *Billardiera mutabilis*
Weeds: *Anthoxanthum odoratum*, *Centaurium erythraea*, *Dactylis glomerata*, *Erica*
lusitanica, *Hypochaeris radicata*, *Juncus bulbosus*, *Lysimachia arvensis*, *Rubus*
fruticosus, *Solanum nigrum*, *Sonchus oleraceus*, *Trifolium subterraneum*, *Ulex*

Site: 7 DOV - Frankford Road - Birralee Junction

Grid Reference: 485890E, 5420420N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 15 Mar 2021

Trees: *Acacia melanoxylon*, *Eucalyptus amygdalina*, *Eucalyptus obliqua*, *Eucalyptus*
ovata var. *ovata*
Tall Shrubs: *Acacia dealbata* subsp. *dealbata*, *Acacia verticillata*, *Exocarpos cupressiformis*,
Leptospermum lanigerum, *Leptospermum scoparium*, *Melaleuca squarrosa*
Shrubs: *Cassinia aculeata* subsp. *aculeata*, *Epacris gunnii*, *Epacris lanuginosa*, *Olearia*
lirata, *Pultenaea dentata*, *Pultenaea juniperina*
Low Shrubs: *Aotus ericoides*, *Hibbertia serpyllifolia*
Herbs: *Acaena novae-zelandiae*, *Centella cordifolia*, *Epilobium* sp., *Galium australe*,
Gonocarpus tetragynus, *Hypoxis hygrometrica*, *Linum marginale*
Graminoids: *Diplarrena moraea*, *Gahnia grandis*, *Juncus holoschoenus*, *Juncus procerus*,
Leptocarpus tenax, *Lomandra longifolia*, *Schoenus apogon*, *Tetraria capillaris*
Grasses: *Austrostipa rudis* subsp. *australis*, *Poa labillardierei*, *Themeda triandra*
Ferns: *Gleichenia microphylla*, *Pteridium esculentum* subsp. *esculentum*
Weeds: *Anthoxanthum odoratum*, *Arrhenatherum elatius* var. *bulbosum*, *Centaurium*
erythraea, *Holcus lanatus*, *Hypochaeris radicata*, *Lotus corniculatus*, *Lysimachia*
arvensis, *Ranunculus repens*

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Natural Values Assessment

Site: 8 DOV (Scrubby) - Frankford Road - West of Birralee Road

Grid Reference: 485767E, 5420438N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 15 Apr 2021
Trees: *Eucalyptus obliqua*
Tall Shrubs: *Allocasuarina littoralis*, *Exocarpos cupressiformis*, *Leptospermum lanigerum*,
Leptospermum scoparium, *Melaleuca squarrosa*
Shrubs: *Bossiaea prostrata*, *Epacris gunnii*, *Epacris lanuginosa*
Low Shrubs: *Hibbertia procumbens*
Herbs: *Acaena novae-zelandiae*, *Hydrocotyle hirta*, *Spiranthes australis*
Graminoids: *Gahnia grandis*, *Gymnoschoenus sphaerocephalus*, *Leptocarpus tenax*, *Tetraria capillaris*
Grasses: *Austrostipa rudis* subsp. *australis*, *Tetrarrhena distichophylla*, *Themeda triandra*
Ferns: *Pteridium esculentum* subsp. *esculentum*
Weeds: *Anthoxanthum odoratum*, *Arrhenatherum elatius* var. *bulbosum*, *Erica lusitanica*,
Lotus corniculatus, *Lysimachia arvensis*

Site: 9 FAG - Frankford Road - West of Birralee Road

Grid Reference: 485516E, 5420476N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 15 Mar 2021
Trees: *Acacia melanoxylon*
Tall Shrubs: *Acacia verticillata*
Shrubs: *Cassinia aculeata* subsp. *aculeata*
Herbs: *Centella cordifolia*, *Drosera pygmaea*, *Hydrocotyle hirta*, *Hypoxis hygrometrica*,
Linum marginale, *Ranunculus amphitrichus*
Graminoids: *Juncus procerus*, *Juncus sarophorus*, *Lepidosperma elatius*, *Schoenus apogon*
Weeds: *Cirsium vulgare*, *Holcus lanatus*, *Juncus bulbosus*, *Lotus corniculatus*,
Parentucellia viscosa, *Plantago lanceolata*, *Rosa rubiginosa*, *Setaria parviflora*

Site: 10 DAZ - Birralee Road - Brushy Rivulet

Grid Reference: 486490E, 5408506N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 16 Mar 2021
Trees: *Acacia melanoxylon*, *Eucalyptus amygdalina*, *Eucalyptus viminalis* subsp.
Tall Shrubs: *Acacia dealbata* subsp. *dealbata*, *Banksia marginata*, *Bursaria spinosa* subsp.
spinosa, *Dodonaea viscosa* subsp. *spatulata*, *Exocarpos cupressiformis*,
Pomaderris apetala
Shrubs: *Epacris impressa*, *Leptecophylla pogonocalyx* ssp. *decipiens*, *Micranthemum hexandrum*
Herbs: *Acaena novae-zelandiae*, *Dichondra repens*, *Galium australe*, *Gonocarpus tetragynus*, *Linum marginale*
Graminoids: *Gahnia grandis*, *Juncus holoschoenus*, *Juncus pauciflorus*, *Lepidosperma elatius*,
Lepidosperma filiforme, *Lomandra longifolia*
Grasses: *Austrostipa rudis* subsp. *australis*, *Poa labillardierei*, *Rytidosperma* sp., *Themeda triandra*
Ferns: *Adiantum aethiopicum*, *Pteridium esculentum* subsp. *esculentum*
Climbers: *Billardiera mutabilis*
Weeds: *Anthoxanthum odoratum*, *Arrhenatherum elatius* var. *bulbosum*, *Centaurium erythraea*, *Cirsium vulgare*, *Dactylis glomerata*, *Holcus lanatus*, *Hypochaeris*

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radicata, Lolium perenne, Lotus corniculatus, Lysimachia arvensis, Plantago lanceolata, Ranunculus repens, Sonchus asper, Sonchus oleraceus, Trifolium subterraneum, Ulex europaeus

Site: 11 DAD - Birralee Road - Brushy Rivulet

Grid Reference: 485710E, 5407447N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 16 Mar 2021

Trees: *Eucalyptus amygdalina, Eucalyptus ovata var. ovata, Eucalyptus viminalis subsp. viminalis*

Tall Shrubs: *Acacia dealbata subsp. dealbata, Banksia marginata, Bursaria spinosa subsp. spinosa, Exocarpos cupressiformis, Pomaderris apetala*

Shrubs: *Bossiaea prostrata, Epacris impressa, Hakea microcarpa, Lomatia tinctoria, Melicytus dentatus, Olearia lirata, Pultenaea juniperina*

Low Shrubs: *Astroloma humifusum*

Herbs: *Acaena novae-zelandiae, Brunonia australis, Dichondra repens, Euciton japonicus, Galium australe, Gonocarpus tetragynus, Helichrysum luteoalbum, Carex appressa, Juncus holoschoenus, Juncus sarophorus, Lepidosperma elatius, Lomandra longifolia*

Grasses: *Austrostipa rudis subsp. australis, Poa labillardierei, Rytidosperma sp., Tetrarrhena distichophylla, Themeda triandra*

Ferns: *Pteridium esculentum subsp. esculentum*

Climbers: *Billardiera mutabilis, Clematis aristata*

Weeds: *Agrostis capillaris, Anthoxanthum odoratum, Arrhenatherum elatius var. bulbosum, Centaurium erythraea, Crataegus monogyna, Dactylis glomerata, Erica lusitanica, Holcus lanatus, Hypochaeris radicata, Lysimachia arvensis, Paspalum dilatatum, Plantago lanceolata, Rubus fruticosus, Sonchus oleraceus*

Site: 12 DAD - Birralee Road - Black Sugarloaf Creek

Grid Reference: 485591E, 5413343N
Accuracy: GPS (within 10 metres)
Recorder: Jared Parry
Date of Study: 16 Mar 2021

Trees: *Acacia melanoxylon, Eucalyptus amygdalina, Eucalyptus viminalis subsp.*

Tall Shrubs: *Acacia dealbata subsp. dealbata, Bursaria spinosa subsp. spinosa, Exocarpos cupressiformis*

Shrubs: *Cassinia aculeata subsp. aculeata, Coprosma quadrifida, Lomatia tinctoria, Micranthemum hexandrum, Olearia lirata, Pultenaea juniperina*

Low Shrubs: *Astroloma humifusum*

Herbs: *Acaena novae-zelandiae, Dianella tasmanica, Galium australe, Geranium potentilloides var. potentilloides, Gonocarpus micranthus subsp. micranthus, Gonocarpus tetragynus, Linum marginale, Oxalis corniculata subsp. corniculata, Poranthera microphylla, Styliidium graminifolium, Wahlenbergia multicaulis*

Graminoids: *Juncus holoschoenus, Juncus procerus, Juncus sarophorus, Lepidosperma elatius, Lomandra longifolia, Schoenus apogon*

Grasses: *Austrostipa rudis subsp. australis, Microlaena stipoides, Poa labillardierei, Rytidosperma sp.*

Ferns: *Adiantum aethiopicum, Polystichum proliferum, Pteridium esculentum subsp. esculentum*

Climbers: *Billardiera mutabilis*

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Weeds: *Acetosella vulgaris*, *Anthoxanthum odoratum*, *Arrhenatherum elatius* var. *bulbosum*, *Centaureum erythraea*, *Cirsium vulgare*, *Crataegus monogyna*, *Dactylis glomerata*, *Digitalis purpurea*, *Dysphania pumilio*, *Erica lusitanica*, *Hypochaeris radicata*, *Lotus corniculatus*, *Panicum capillare*, *Plantago coronopus*, *Rubus fruticosus*, *Sonchus asper*, *Sonchus oleraceus*, *Typha latifolia*, *Ulex*

Site: 13 DAZ - Birrallee Road - Selbourne Road

Grid Reference: 485753E, 5412087N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 16 Mar 2021

Trees: *Eucalyptus amygdalina*, *Eucalyptus ovata* var. *ovata*, *Eucalyptus viminalis* subsp. *viminalis*

Tall Shrubs: *Acacia dealbata* subsp. *dealbata*, *Exocarpos cupressiformis*, *Pomaderris apetala*

Shrubs: *Bossiaea prostrata*, *Cassinia aculeata* subsp. *aculeata*, *Coprosma quadrifida*, *Daviesia latifolia*, *Epacris impressa*, *Lomatia tinctoria*, *Olearia lirata*, *Pultenaea juniperina*

Low Shrubs: *Astroloma humifusum*, *Lissanthe strigosa* subsp. *subulata*, *Pimelea humilis*

Herbs: *Acaena novae-zelandiae*, *Brunonia australis*, *Chiloglottis* sp., *Galium australe*, *Geranium potentilloides* var. *potentilloides*, *Gonocarpus tetragynus*, *Hovea heterophylla*, *Hydrocotyle hirta*, *Hypericum japonicum*, *Linum marginale*, *Oxalis corniculata* subsp. *corniculata*, *Poranthera microphylla*, *Stylidium graminifolium*, *Viola hederacea*, *Wahlenbergia multicaulis*

Graminoids: *Carex appressa*, *Gahnia grandis*, *Juncus procerus*, *Juncus sarophorus*, *Lepidosperma elatius*, *Lomandra longifolia*

Grasses: *Austrostipa rudis* subsp. *australis*, *Microlaena stipoides*, *Poa labillardierei*, *Poa* sp., *Tetrarrhena distichophylla*, *Themeda triandra*

Ferns: *Pteridium esculentum* subsp. *esculentum*

Climbers: *Clematis aristata*

Weeds: *Acetosella vulgaris*, *Anthoxanthum odoratum*, *Centaureum erythraea*, *Cytisus scoparius*, *Dactylis glomerata*, *Holcus lanatus*, *Hypochaeris radicata*, *Lysimachia arvensis*, *Ranunculus repens*, *Rubus fruticosus*, *Sonchus asper*, *Sonchus oleraceus*, *Trifolium repens*, *Trifolium subterraneum*

Site: 14 FPE (DOV) - Frankford Road - South Side

Grid Reference: 486908E, 5420555N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 17 Mar 2021

Trees: *Acacia melanoxylon*, *Eucalyptus amygdalina*, *Eucalyptus ovata* var. *ovata*

Tall Shrubs: *Acacia verticillata*, *Leptospermum lanigerum*, *Leptospermum scoparium*, *Melaleuca ericifolia*, *Melaleuca squarrosa*

Shrubs: *Bossiaea cordigera*, *Epacris impressa*, *Olearia lirata*

Low Shrubs: *Aotus ericoides*

Herbs: *Acaena novae-zelandiae*, *Galium australe*, *Gonocarpus tetragynus*, *Oxalis corniculata* subsp. *corniculata*, *Poranthera microphylla*

Graminoids: *Baumea rubiginosa*, *Baumea tetragona*, *Empodisma minus*, *Gahnia grandis*, *Gymnoschoenus sphaerocephalus*, *Lepidosperma elatius*, *Leptocarpus tenax*, *Lomandra longifolia*, *Schoenus apogon*, *Tetraria capillaris*

Grasses: *Austrostipa rudis* subsp. *australis*, *Microlaena stipoides*, *Themeda triandra*

Ferns: *Blechnum nudum*, *Gleichenia microphylla*, *Polystichum proliferum*, *Pteridium esculentum* subsp. *esculentum*

Weeds: *Anthoxanthum odoratum*, *Arrhenatherum elatius* var. *bulbosum*, *Centaureum*

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*erythraea, Dactylis glomerata, Erica lusitanica, Erythranthe moschata,
Hypochaeris radicata, Lotus corniculatus, Lysimachia arvensis, Ranunculus
repens, Rubus fruticosus, Setaria parviflora*

Site: 15 FPE (DOB) - Frankford Road - South Side

Grid Reference: 487003E, 5420711N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 17 Apr 2021

Trees: *Acacia melanoxylon, Eucalyptus amygdalina, Eucalyptus obliqua, Eucalyptus ovata var. ovata*

Tall Shrubs: *Acacia dealbata subsp. dealbata, Acacia verticillata, Exocarpos cupressiformis, Leptospermum scoparium, Melaleuca squarrosa, Ozothamnus thyrsoideus*

Shrubs: *Cassinia aculeata subsp. aculeata, Lomatia tinctoria*

Low Shrubs: *Aotus ericoides, Astroloma humifusum, Hibbertia serpyllifolia*

Herbs: *Acaena novae-zelandiae, Gonocarpus tetragynus, Hypericum japonicum, Linum marginale, Oxalis corniculata subsp. corniculata*

Graminoids: *Gahnia grandis, Juncus holoschoenus, Leptocarpus tenax, Tetraria capillaris*

Grasses: *Austrostipa rudis subsp. australis, Microlaena stipoides, Poa labillardierei, Poa sp.*

Ferns: *Blechnum nudum, Gleichenia microphylla, Pteridium esculentum subsp.*

Weeds: *Acacia pycnantha, Anthoxanthum odoratum, Arrhenatherum elatius var. bulbosum, Centaureum erythraea, Crataegus monogyna, Dactylis glomerata, Erica lusitanica, Hypochaeris radicata, Lysimachia arvensis, Prunella vulgaris*

Site: 16 DOV - Birralee Road - Reids Creek (Could be DOB)

Grid Reference: 485810E, 5417465N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 17 Mar 2021

Trees: *Acacia melanoxylon, Eucalyptus amygdalina, Eucalyptus obliqua, Eucalyptus ovata var. ovata*

Tall Shrubs: *Acacia dealbata subsp. dealbata, Acacia verticillata, Bursaria spinosa subsp. spinosa, Exocarpos cupressiformis, Leptospermum scoparium, Melaleuca ericifolia, Ozothamnus thyrsoideus, Pomaderris apetala*

Shrubs: *Bossiaea cordigera, Bossiaea prostrata, Cassinia aculeata subsp. aculeata, Coprosma quadrifida, Epacris impressa, Leptomeria drupacea, Lomatia tinctoria, Olearia lirata, Pimelea nivea, Pultenaea dentata, Pultenaea juniperina, Rubus parvifolius*

Low Shrubs: *Aotus ericoides, Astroloma humifusum, Hibbertia procumbens*

Herbs: *Acaena novae-zelandiae, Coronidium scorpioides, Galium australe, Geranium potentilloides var. potentilloides, Gonocarpus tetragynus, Hydrocotyle hirta, Hypericum japonicum, Linum marginale, Poranthera microphylla, Potamogeton crispus, Senecio linearifolius var. linearifolius, Veronica gracilis, Wahlenbergia multicaulis*

Graminoids: *Baumea tetragona, Gahnia grandis, Isolepis inundata, Juncus holoschoenus, Juncus pauciflorus, Juncus sarophorus, Lepidosperma elatius, Lomandra longifolia, Schoenus apogon, Tetraria capillaris*

Grasses: *Austrostipa rudis subsp. australis, Poa labillardierei, Rytidosperma sp., Tetrarrhena distichophylla, Themeda triandra*

Ferns: *Blechnum nudum, Blechnum wattsii, Pteridium esculentum subsp. esculentum*

Climbers: *Billardiera mutabilis, Cassytha glabella*

Weeds: *Anthoxanthum odoratum, Cirsium vulgare, Cytisus scoparius, Dactylis glomerata, Hypochaeris radicata, Lotus corniculatus, Pinus radiata, Rosa rubiginosa, Rubus*

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fruticosus, Trifolium subterraneum, Ulex europaeus

Site: 17 DAZ - Birralee Road - Four Springs Creek

Grid Reference: 486140E, 5418463N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 17 Mar 2021

Trees: *Acacia melanoxylon, Eucalyptus amygdalina, Eucalyptus ovata var. ovata*
Tall Shrubs: *Acacia dealbata subsp. dealbata, Acacia verticillata, Banksia marginata, Exocarpos cupressiformis, Leptospermum lanigerum, Leptospermum scoparium*
Shrubs: *Bossiaea prostrata, Cassinia aculeata subsp. aculeata, Epacris impressa, Leptomeria drupacea, Pimelea nivea, Pultenaea juniperina*
Low Shrubs: *Astroloma humifusum, Hibbertia procumbens*
Herbs: *Acaena novae-zelandiae, Argentipallium dealbatum, Helichrysum luteoalbum, Hypericum japonicum, Linum marginale, Oxalis corniculata subsp. corniculata*
Graminoids: *Diplarrena moraea, Empodisma minus, Gahnia grandis, Juncus holoschoenus, Juncus sarophorus, Leptocarpus tenax, Lomandra longifolia, Schoenus apogon, Tetraria capillaris*
Grasses: *Austrostipa rudis subsp. australis, Microlaena stipoides, Poa labillardierei, Tetrarrhena distichophylla, Themeda triandra*
Ferns: *Pteridium esculentum subsp. esculentum*
Weeds: *Anthoxanthum odoratum, Centaurium erythraea, Dactylis glomerata, Holcus lanatus, Hypochaeris radicata, Rosa rubiginosa, Rubus fruticosus*

Site: 18 FPE (DOV) - Frankford Road - Long Plains Road - South Side

Grid Reference: 494570E, 5426985N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 18 Mar 2021

Trees: *Acacia melanoxylon, Eucalyptus amygdalina, Eucalyptus ovata var. ovata*
Tall Shrubs: *Acacia dealbata subsp. dealbata, Acacia verticillata, Allocasuarina littoralis, Banksia marginata, Exocarpos cupressiformis, Leptospermum scoparium, Melaleuca ericifolia, Melaleuca squarrosa*
Shrubs: *Bossiaea prostrata, Cassinia aculeata subsp. aculeata, Coprosma quadrifida, Epacris impressa, Leptecophylla pogonocalyx ssp. decipiens, Leptomeria drupacea, Pultenaea dentata, Rubus parvifolius*
Low Shrubs: *Astroloma humifusum*
Herbs: *Acaena novae-zelandiae, Gonocarpus micranthus subsp. micranthus, Gonocarpus tetragynus, Oxalis corniculata subsp. corniculata, Stylidium Gahnia grandis, Gymnoschoenus sphaerocephalus, Juncus sarophorus, Lepidosperma elatius, Leptocarpus tenax, Lomandra longifolia*
Graminoids: *Pteridium esculentum subsp. esculentum*
Ferns: *Cassytha glabella*
Climbers: *Cassytha glabella*
Weeds: *Cytisus scoparius, Erica lusitanica, Pinus radiata, Rubus fruticosus*

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Site: 19 FPE - Frankford Road - Road Reserve

Grid Reference: E, N
Accuracy: within 100 metres
Recorder: Jared Parry
Date of Study: 18 Apr 2021

Tall Shrubs: *Banksia marginata*, *Melaleuca ericifolia*, *Melaleuca squarrosa*
Shrubs: *Amperea xiphioclada* var. *xiphioclada*, *Bossiaea prostrata*, *Epacris impressa*,
Pultenaea dentata

Low Shrubs: *Platylobium obtusangulum*
Herbs: *Acaena novae-zelandiae*, *Centella cordifolia*, *Galium australe*, *Gonocarpus micranthus* subsp. *micranthus*, *Gonocarpus tetragynus*, *Linum marginale*,
Poranthera microphylla, *Ranunculus amphitrichus*, *Stylidium graminifolium*

Graminoids: *Carex lynx*, *Empodisma minus*, *Gahnia grandis*, *Juncus holoschoenus*, *Juncus sarophorus*, *Lomandra longifolia*

Grasses: *Aira elegantissima*, *Austrostipa rudis* subsp. *australis*, *Tetrarrhena distichophylla*,
Themeda triandra

Ferns: *Pteridium esculentum* subsp. *esculentum*

Climbers: *Billardiera mutabilis*

Weeds: *Agapanthus praecox* subsp. *orientalis*, *Aira caryophyllea*, *Anthoxanthum odoratum*, *Arrhenatherum elatius* var. *bulbosum*, *Briza maxima*, *Centaureum erythraea*, *Cirsium arvense* var. *arvense*, *Cirsium vulgare*, *Conyza* sp., *Crocossmia Xrocossmiflora*, *Cyperus eragrostis*, *Cytisus scoparius*, *Dactylis glomerata*,
Dysphania pumilio, *Eleusine tristachya*, *Eragrostis cilianensis*, *Eragrostis pilosa*,
Erica lusitanica, *Erythranthe moschata*, *Holcus lanatus*, *Hypochaeris radicata*,
Lotus corniculatus, *Lysimachia arvensis*, *Panicum capillare*, *Paspalum dilatatum*,
Plantago lanceolata, *Poa annua*, *Prunella vulgaris*, *Quercus robur*, *Ranunculus repens*, *Raphanus raphanistrum*, *Rubus fruticosus*, *Setaria parviflora*, *Solanum nigrum*, *Sonchus asper*, *Sonchus oleraceus*, *Ulex europaeus*, *Verbascum thapsus*, *Verbascum virgatum*

Site: 20 FAG - Birralee Road - South of Brushy Rivulet

Grid Reference: 485539E, 5407188N
Accuracy: within 100 metres
Recorder: Jared Parry
Date of Study: 16 Mar 2021

Tall Shrubs: *Acacia dealbata* subsp. *dealbata*, *Exocarpos cupressiformis*
Shrubs: *Epacris impressa*, *Hakea microcarpa*, *Lomatia tinctoria*
Herbs: *Acaena novae-zelandiae*, *Linum marginale*
Graminoids: *Carex appressa*, *Juncus holoschoenus*, *Juncus sarophorus*, *Lepidosperma elatius*, *Lomandra longifolia*

Grasses: *Aira elegantissima*, *Themeda triandra*
Ferns: *Pteridium esculentum* subsp. *esculentum*
Weeds: *Anthoxanthum odoratum*, *Arrhenatherum elatius* var. *bulbosum*, *Centaureum erythraea*, *Dactylis glomerata*, *Eragrostis cilianensis*, *Erica lusitanica*, *Hypochaeris radicata*, *Lolium perenne*, *Paspalum dilatatum*, *Plantago lanceolata*, *Prunella vulgaris*, *Rosa rubiginosa*, *Rubus fruticosus*

Site: 21 FRG - Birralee Road - Delantys Road

Grid Reference: 485729E, 5416833N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 17 Mar 2021

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Trees: *Acacia melanoxylon, Eucalyptus amygdalina, Eucalyptus obliqua, Eucalyptus ovata* var. *ovata, Eucalyptus viminalis* subsp. *viminalis*
Tall Shrubs: *Acacia dealbata* subsp. *dealbata, Acacia verticillata, Exocarpos cupressiformis, Melaleuca squarrosa*
Shrubs: *Epacris impressa, Leptomeria drupacea, Olearia lirata, Pultenaea dentata*
Herbs: *Galium australe, Gonocarpus tetragynus, Linum marginale, Senecio linearifolius* var. *linearifolius*
Graminoids: *Empodisma minus, Gahnia grandis, Juncus holoschoenus, Juncus sarophorus, Lomandra longifolia, Schoenus apogon*
Grasses: *Aira elegantissima, Austrostipa rudis* subsp. *australis, Microlaena stipoides, Poa*
Ferns: *Pteridium esculentum* subsp. *esculentum*
Weeds: *Anthoxanthum odoratum, Arrhenatherum elatius* var. *bulbosum, Centaureium erythraea, Dactylis glomerata, Holcus lanatus, Hypochaeris radicata, Rubus fruticosus, Sonchus oleraceus, Ulex europaeus*

Site: 22 FRG - Juncus dominant - Frankford Road

Grid Reference: 487291E, 5420983N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 17 Mar 2021

Trees: *Acacia melanoxylon*
Tall Shrubs: *Melaleuca ericifolia, Melaleuca squarrosa*
Low Shrubs: *Acacia myrtifolia, Aotus ericoides*
Herbs: *Acaena novae-zelandiae, Gonocarpus tetragynus, Hydrocotyle hiirta, Oxalis corniculata* subsp. *corniculata*
Graminoids: *Baumea tetragona, Carex iynx, Gahnia grandis, Juncus pallidus, Juncus pauciflorus, Juncus sarophorus, Lepidosperma elatius, Lepidosperma ensiforme*
Grasses: *Microlaena stipoides*
Ferns: *Gleichenia microphylla, Polystichum proliferum, Pteridium esculentum* subsp. *esculentum*
Weeds: *Centaureium erythraea, Dactylis glomerata, Erica lusitanica, Holcus lanatus, Lysimachia arvensis, Rosa rubiginosa, Rubus fruticosus, Rumex crispus, Sonchus asper, Sonchus oleraceus, Trifolium subterraneum*

Site: 23 FRG - Regenerating field - Frankford Road

Grid Reference: 487495E, 5421154N
Accuracy: within 50 metres
Recorder: Jared Parry
Date of Study: 17 Mar 2021

Trees: *Acacia melanoxylon, Eucalyptus obliqua*
Tall Shrubs: *Acacia dealbata* subsp. *dealbata, Allocasuarina littoralis, Banksia marginata*
Shrubs: *Olearia lirata, Pultenaea juniperina*
Herbs: *Acaena novae-zelandiae, Euchiton japonicus, Hypericum japonicum, Senecio linearifolius* var. *linearifolius*
Graminoids: *Empodisma minus, Gahnia grandis, Juncus procerus, Juncus sarophorus, Lomandra longifolia*
Grasses: *Austrostipa rudis* subsp. *australis, Rytidospema* sp.
Ferns: *Blechnum nudum, Dicksonia antarctica, Pteridium esculentum* subsp.
Weeds: *Acetosella vulgaris, Anthoxanthum odoratum, Centaureium erythraea, Erica lusitanica, Rubus fruticosus, Ulex europaeus*

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Northern Roads Stage 3: Birralee and Frankford Road
Natural Values Assessment

Site: 24 DOV - Birralee Road - North of Delantys Road

Grid Reference: 486120E, 5418466N
Accuracy: within 50 metres
Recorder: Fiona Walsh
Date of Study: 17 Mar 2021

Trees: *Eucalyptus amygdalina*, *Eucalyptus obliqua*, *Eucalyptus ovata* var. *ovata*
Tall Shrubs: *Acacia dealbata* subsp. *dealbata*, *Exocarpos cupressiformis*, *Leptospermum lanigerum*, *Leptospermum scoparium*
Shrubs: *Coprosma quadrifida*, *Epacris impressa*, *Olearia lirata*
Low Shrubs: *Hibbertia procumbens*
Herbs: *Acaena novae-zelandiae*, *Gonocarpus tetragynus*, *Hydrocotyle hirta*, *Stylidium graminifolium*
Graminoids: *Gahnia grandis*, *Lepidosperma elatius*, *Lomandra longifolia*
Grasses: *Poa labillardierei*, *Themeda triandra*
Ferns: *Pteridium esculentum* subsp. *esculentum*
Weeds: *Anthoxanthum odoratum*, *Centaurium erythraea*, *Dactylis glomerata*, *Erica lusitanica*, *Hypochaeris radicata*, *Rosa rubiginosa*, *Rubus fruticosus*, *Sonchus oleraceus*, *Ulex europaeus*

Site: 25 FAG - Birralee Road - North of Reids Creek

Grid Reference: 486017E, 5417935N
Accuracy: within 50 metres
Recorder: Fiona Walsh
Date of Study: 17 Mar 2021

Trees: *Acacia melanoxylon*, *Eucalyptus amygdalina*, *Eucalyptus ovata* var. *ovata*
Tall Shrubs: *Acacia dealbata* subsp. *dealbata*, *Bursaria spinosa* subsp. *spinosa*, *Exocarpos cupressiformis*, *Melaleuca ericifolia*
Shrubs: *Olearia lirata*
Graminoids: *Gahnia grandis*, *Lomandra longifolia*
Ferns: *Pteridium esculentum* subsp. *esculentum*
Weeds: *Crataegus monogyna*, *Dactylis glomerata*, *Eragrostis cilianensis*, *Eragrostis pilosa*, *Hypochaeris glabra*, *Lysimachia arvensis*, *Paspalum dilatatum*, *Raphanus raphanistrum*, *Rosa rubiginosa*, *Rubus fruticosus*, *Setaria parviflora*, *Solanum nigrum*, *Sonchus oleraceus*, *Typha latifolia*, *Ulex europaeus*

Site: 26 DOB - DSC - Frankford Road - West of Lamont Road

Grid Reference: 487860E, 5421629N
Accuracy: within 50 metres
Recorder: Fiona Walsh
Date of Study: 17 Apr 2021

Trees: *Acacia melanoxylon*, *Eucalyptus amygdalina*, *Eucalyptus obliqua*, *Eucalyptus viminalis* subsp. *viminalis*
Tall Shrubs: *Acacia dealbata* subsp. *dealbata*, *Acacia verticillata*, *Banksia marginata*, *Leptospermum scoparium*, *Melaleuca ericifolia*, *Melaleuca squarrosa*, *Oxylobium ellipticum*, *Pittosporum bicolor*, *Pomaderris apetala*, *Zieria arborescens*
Shrubs: *Acacia terminalis*, *Bossiaea cordigera*, *Cassinia aculeata* subsp. *aculeata*, *Coprosma quadrifida*, *Epacris impressa*, *Epacris lanuginosa*, *Olearia lirata*, *Pimelea drupacea*, *Pultenaea juniperina*
Low Shrubs: *Acacia myrtifolia*, *Astroloma humifusum*
Herbs: *Acaena novae-zelandiae*, *Galium australe*, *Geranium potentilloides* var. *potentilloides*, *Gonocarpus tetragynus*, *Hypericum japonicum*, *Oxalis* sp.
Graminoids: *Empodisma minus*, *Gahnia grandis*, *Juncus sarophorus*, *Leptocarpus tenax*, *Lomandra longifolia*

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Grasses: *Austrostipa rudis* subsp. *australis*, *Tetrarrhena distichophylla*, *Themeda triandra*
Ferns: *Blechnum nudum*, *Gleichenia microphylla*, *Pteridium esculentum* subsp.
Climbers: *Billardiera mutabilis*, *Clematis aristata*
Weeds: *Aira caryophyllea*, *Anthoxanthum odoratum*, *Arrhenatherum elatius* var.
bulbosum, *Briza maxima*, *Centaurium erythraea*, *Cirsium vulgare*, *Dactylis*
glomerata, *Eragrostis cilianensis*, *Erica lusitanica*, *Hypochaeris glabra*, *Lotus*
corniculatus, *Lysimachia arvensis*, *Paspalum dilatatum*, *Plantago lanceolata*,

Site: 27 DSC - Frankford Road - East of Birralee Road

Grid Reference: 487004E, 5420737N
Accuracy: within 50 metres
Recorder: Fiona Walsh
Date of Study: 17 Mar 2021

Trees: *Acacia melanoxylon*
Tall Shrubs: *Banksia marginata*, *Leptospermum scoparium*, *Melaleuca squarrosa*
Shrubs: *Cassinia aculeata* subsp. *aculeata*, *Coprosma quadrifida*, *Leptecophylla*
pogonocalyx ssp. *decipiens*, *Pimelea drupacea*
Low Shrubs: *Pimelea humilis*
Herbs: *Poranthera microphylla*, *Stylidium graminifolium*
Graminoids: *Gahnia grandis*, *Juncus sarophorus*, *Lepidosperma elatius*, *Leptocarpus tenax*,
Tetraria capillaris
Grasses: *Austrostipa rudis* subsp. *australis*, *Microlaena stipoides*, *Poa labillardierei*,
Tetrarrhena distichophylla, *Themeda triandra*
Ferns: *Gleichenia microphylla*, *Pteridium esculentum* subsp. *esculentum*
Weeds: *Anthoxanthum odoratum*, *Centaurium erythraea*, *Cirsium vulgare*, *Lotus*
corniculatus, *Lysimachia arvensis*, *Rubus fruticosus*, *Trifolium subterraneum*

Site: 28 FPE - Birralee Road - Road Reserve

Grid Reference: E, N
Accuracy: within 100 metres
Recorder: Jared Parry
Date of Study: 16 Mar 2021

Trees: *Eucalyptus amygdalina*, *Eucalyptus ovata* var. *ovata*
Tall Shrubs: *Acacia dealbata* subsp. *dealbata*
Shrubs: *Bossiaea cordigera*, *Cassinia aculeata* subsp. *aculeata*, *Meliccytus dentatus*,
Pimelea nivea
Low Shrubs: *Astroloma humifusum*, *Hibbertia procumbens*
Herbs: *Acaena novae-zelandiae*, *Brunonia australis*, *Coronidium scorpioides*, *Galium*
australe, *Geranium potentilloides* var. *potentilloides*, *Gonocarpus micranthus*
subsp. *micranthus*, *Gonocarpus tetragynus*, *Helichrysum luteoalbum*, *Hydrocotyle*
hirta, *Hypericum japonicum*, *Linum marginale*, *Oxalis corniculata* subsp.
corniculata, *Poranthera microphylla*, *Stylidium graminifolium*
Graminoids: *Carex appressa*, *Juncus holoschoenus*, *Juncus sarophorus*, *Schoenus apogon*
Grasses: *Aira elegantissima*, *Austrostipa rudis* subsp. *australis*, *Rytidosperma* sp.,
Tetrarrhena distichophylla, *Themeda triandra*
Ferns: *Pteridium esculentum* subsp. *esculentum*
Weeds: *Achillea millefolium*, *Agrostis capillaris*, *Aira caryophyllea*, *Anthoxanthum*
odoratum, *Arrhenatherum elatius* var. *bulbosum*, *Avena sativa*, *Briza maxima*,
Carduus pycnocephalus, *Centaurium erythraea*, *Cirsium arvense* var. *arvense*,
Cirsium vulgare, *Conyza* sp., *Crataegus monogyna*, *Cyperus eragrostis*, *Cytisus*
scoparius, *Dactylis glomerata*, *Digitaria sanguinalis*, *Eragrostis cilianensis*,
Eragrostis pilosa, *Erica lusitanica*, *Holcus lanatus*, *Hypochaeris radicata*, *Lolium*
perenne, *Lotus corniculatus*, *Lysimachia arvensis*, *Myosotis arvensis*, *Panicum*

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*capillare, Paspalum dilatatum, Plantago lanceolata, Poa annua, Populus sp.,
Prunella vulgaris, Ranunculus repens, Raphanus raphanistrum, Rosa rubiginosa,
Rubus fruticosus, Rumex crispus, Senecio jacobaea, Setaria parviflora, Solanum
nigrum, Sonchus asper, Sonchus oleraceus, Trifolium subterraneum, Ulex
europaeus, Verbascum thapsus*

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APPENDIX B: VASCULAR PLANT SPECIES LIST

Status codes:

| | | |
|---|----------------------------|----------------|
| ORIGIN | NATIONAL SCHEDULE | STATE SCHEDULE |
| i - introduced | EPBC Act 1999 | TSP Act 1995 |
| d - declared weed WM Act | CR - critically endangered | e - endangered |
| en - endemic to Tasmania | EN - endangered | v - vulnerable |
| t - within Australia, occurs only in Tas. | VU - vulnerable | r - rare |

Sites:

| | | | |
|----|--|------------|-------------|
| 1 | FPS - Birrallee Road - South of Brushy Rivulet - E485728, N5407455 | 16/03/2021 | Fiona Walsh |
| 2 | DAZ - Birrallee Road - South of Brushy Rivulet - E485557, N5407189 | 16/03/2021 | Fiona Walsh |
| 3 | DAZ - Birrallee Road - South of Brushy Rivulet - E485944, N5407834 | 16/03/2021 | Fiona Walsh |
| 4 | FPS - NBA - DAD - North of Black Sugarloaf Creek - E485542, N5413437 | 16/03/2021 | Fiona Walsh |
| 5 | DOV - Birrallee Road - Four Springs Creek - E486170, N5419224 | 17/03/2021 | Fiona Walsh |
| 6 | DAZ - Frankford Road - West of Birrallee Road - E485344, N5420560 | 15/03/2021 | Jared Parry |
| 7 | DOV - Frankford Road - Birrallee Junction - E485890, N5420420 | 15/03/2021 | Jared Parry |
| 8 | DOV (Scrubby) - Frankford Road - West of Birrallee Road - E485767, N5420438 | 15/04/2021 | Jared Parry |
| 9 | FAG - Frankford Road - West of Birrallee Road - E485516, N5420476 | 15/03/2021 | Jared Parry |
| 10 | DAZ - Birrallee Road - Brushy Rivulet - E486490, N5408506 | 16/03/2021 | Jared Parry |
| 11 | DAD - Birrallee Road - Brushy Rivulet - E485710, N5407447 | 16/03/2021 | Jared Parry |
| 12 | DAD - Birrallee Road - Black Sugarloaf Creek - E485591, N5413343 | 16/03/2021 | Jared Parry |
| 13 | DAZ - Birrallee Road - Selbourne Road - E485753, N5412087 | 16/03/2021 | Jared Parry |
| 14 | FPE (DOV) - Frankford Road - South Side - E486908, N5420555 | 17/03/2021 | Jared Parry |
| 15 | FPE (DOB) - Frankford Road - South Side - E487003, N5420711 | 17/04/2021 | Jared Parry |
| 16 | DOV - Birrallee Road - Reids Creek (Could be DOB) - E485810, N5417465 | 17/03/2021 | Jared Parry |
| 17 | DAZ - Birrallee Road - Four Springs Creek - E486140, N5418463 | 17/03/2021 | Jared Parry |
| 18 | FPE (DOV) - Frankford Road - Long Plains Road - South Side - E494570, N5426985 | 18/03/2021 | Jared Parry |
| 19 | FPE - Frankford Road - Road Reserve - E, N | 18/04/2021 | Jared Parry |
| 20 | FAG - Birrallee Road - South of Brushy Rivulet - E485539, N5407188 | 16/03/2021 | Jared Parry |
| 21 | FRG - Birrallee Road - Delantys Road - E485729, N5416833 | 17/03/2021 | Jared Parry |
| 22 | FRG - Juncus dominant - Frankford Road - E487291, N5420983 | 17/03/2021 | Jared Parry |
| 23 | FRG - Regenerating field - Frankford Road - E487495, N5421154 | 17/03/2021 | Jared Parry |
| 24 | DOV - Birrallee Road - North of Delantys Road - E486120, N5418466 | 17/03/2021 | Fiona Walsh |
| 25 | FAG - Birrallee Road - North of Reids Creek - E486017, N5417935 | 17/03/2021 | Fiona Walsh |
| 26 | DOB - DSC - Frankford Road - West of Lamont Road - E487860, N5421629 | 17/04/2021 | Fiona Walsh |
| 27 | DSC - Frankford Road - East of Birrallee Road - E487004, N5420737 | 17/03/2021 | Fiona Walsh |
| 28 | FPE - Birrallee Road - Road Reserve - E, N | 16/03/2021 | Jared Parry |

| Site | Name | Common name | Status |
|----------------------|---------------------------------|-------------------|--------|
| DICOTYLEDONAE | | | |
| APIACEAE | | | |
| 7 9 19 | <i>Centella cordifolia</i> | swampwort | |
| 8 9 13 16 | <i>Hydrocotyle hirta</i> | hairy pennywort | |
| 22 24 28 | | | |
| 6 | <i>Xanthosia pilosa</i> | woolly crossherb | |
| ASTERACEAE | | | |
| 28 | <i>Achillea millefolium</i> | yarrow | i |
| 17 | <i>Argentipallium dealbatum</i> | white everlasting | |
| 28 | <i>Carduus pycnocephalus</i> | slender thistle | d |

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| | | | |
|------------|---|---------------------------|----|
| 7 9 12 13 | <i>Cassinia aculeata subsp. aculeata</i> | dollybush | |
| 15 16 17 | | | |
| 18 26 27 | | | |
| 28 | | | |
| 19 28 | <i>Cirsium arvense var. arvense</i> | Californian thistle | d |
| 1 4 5 9 10 | <i>Cirsium vulgare</i> | spear thistle | i |
| 12 16 19 | | | |
| 26 27 28 | | | |
| 19 28 | <i>Conyza sp.</i> | fleabane | i |
| 6 16 28 | <i>Coronidium scorpioides</i> | curling everlasting | |
| 6 11 23 | <i>Euchiton japonicus</i> | common cottonleaf | |
| 11 17 28 | <i>Helichrysum luteoalbum</i> | jersey cudweed | |
| 2 4 5 25 | <i>Hypochaeris glabra</i> | smooth catsear | i |
| 26 | | | |
| 1 6 7 10 | <i>Hypochaeris radicata</i> | rough catsear | i |
| 11 12 13 | | | |
| 14 15 16 | | | |
| 17 19 20 | | | |
| 21 24 28 | | | |
| 5 | <i>Olearia glandulosa</i> | swamp daisybush | |
| 4 7 11 12 | <i>Olearia lirata</i> | forest daisybush | |
| 13 14 16 | | | |
| 21 23 24 | | | |
| 25 26 | | | |
| 5 15 16 | <i>Ozothamnus thyrsoides</i> | arching everlastingbush | |
| 28 | <i>Senecio jacobaea</i> | ragwort | d |
| 16 21 23 | <i>Senecio linearifolius var. linearifolius</i> | common fireweed groundsel | |
| 10 12 13 | <i>Sonchus asper</i> | prickly sowthistle | i |
| 19 22 28 | | | |
| 1 3 6 10 | <i>Sonchus oleraceus</i> | common sowthistle | i |
| 11 12 13 | | | |
| 19 21 22 | | | |
| 24 25 28 | | | |
| | BORAGINACEAE | | |
| 28 | <i>Myosotis arvensis</i> | field forgetmenot | i |
| | BRASSICACEAE | | |
| 3 | <i>Brassica rapa</i> | turnip | i |
| 19 25 28 | <i>Raphanus raphanistrum</i> | wild radish | i |
| | BRUNONIACEAE | | |
| 11 13 28 | <i>Brunonia australis</i> | blue pincushion | r |
| | CAMPANULACEAE | | |
| 5 12 13 | <i>Wahlenbergia multicaulis</i> | bushy bluebell | |
| 16 | | | |
| | CASUARINACEAE | | |
| 6 8 18 23 | <i>Allocasuarina littoralis</i> | black sheoak | |
| 4 | <i>Allocasuarina monilifera</i> | necklace sheoak | en |
| | CHENOPODIACEAE | | |
| 12 19 | <i>Dysphania pumilio</i> | clammy goosefoot | i |
| | CLUSIACEAE | | |

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| | | | |
|------------|---|------------------------|----|
| 3 4 5 13 | <i>Hypericum japonicum</i> | matted st johns-wort | |
| 15 16 17 | | | |
| 23 26 28 | | | |
| | CONVOLVULACEAE | | |
| 10 11 | <i>Dichondra repens</i> | kidneyweed | |
| | CUNONIACEAE | | |
| 6 | <i>Bauera rubioides</i> | wiry bauera | |
| | DILLENIACEAE | | |
| 6 8 16 17 | <i>Hibbertia procumbens</i> | spreading guineaflower | |
| 24 28 | | | |
| 5 6 7 15 | <i>Hibbertia serpyllifolia</i> | thyme guineaflower | |
| | DROSERACEAE | | |
| 9 | <i>Drosera pygmaea</i> | dwarf sundew | |
| | ERICACEAE | | |
| 3 4 11 12 | <i>Astroloma humifusum</i> | native cranberry | |
| 13 15 16 | | | |
| 17 18 26 | | | |
| 28 | | | |
| 7 8 | <i>Epacris gunnii</i> | coral heath | |
| 1 3 6 10 | <i>Epacris impressa</i> | common heath | |
| 11 13 14 | | | |
| 16 17 18 | | | |
| 19 20 21 | | | |
| 24 26 | | | |
| 5 6 7 8 26 | <i>Epacris lanuginosa</i> | swamp heath | |
| 1 2 4 5 6 | <i>Erica lusitanica</i> | spanish heath | d |
| 8 11 12 | | | |
| 14 15 18 | | | |
| 19 20 22 | | | |
| 23 24 26 | | | |
| 28 | | | |
| 6 10 18 | <i>Leptecophylla pogonocalyx ssp. decipiens</i> | pinkberry | en |
| 27 | | | |
| 13 | <i>Lissanthe strigosa subsp. subulata</i> | peachberry heath | |
| | EUPHORBIACEAE | | |
| 19 | <i>Amperea xiphoclada var. xiphoclada</i> | broom spurge | |
| 3 10 12 | <i>Micrantheum hexandrum</i> | river tridentbush | |
| 12 13 14 | <i>Poranthera microphylla</i> | small poranthera | |
| 16 19 27 | | | |
| 28 | | | |
| | FABACEAE | | |
| 1 2 3 4 5 | <i>Acacia dealbata subsp. dealbata</i> | silver wattle | |
| 6 7 10 11 | | | |
| 12 13 15 | | | |
| 16 17 18 | | | |
| 20 21 23 | | | |
| 24 25 26 | | | |
| 28 | | | |
| 3 5 7 9 10 | <i>Acacia melanoxylon</i> | blackwood | |
| 12 14 15 | | | |
| 16 17 18 | | | |
| 21 22 23 | | | |

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| | | | |
|------------|-------------------------------------|--------------------------|---|
| 25 26 27 | | | |
| 6 22 26 | <i>Acacia myrtifolia</i> | redstem wattle | |
| 15 | <i>Acacia pycnantha</i> | golden wattle | i |
| 26 | <i>Acacia terminalis</i> | sunshine wattle | |
| 7 9 14 15 | <i>Acacia verticillata</i> | prickly moses | |
| 16 17 18 | | | |
| 21 26 | | | |
| 7 14 15 | <i>Aotus ericoides</i> | golden pea | |
| 16 22 | | | |
| 14 16 26 | <i>Bossiaea cordigera</i> | wiry bossiaea | |
| 28 | | | |
| 4 5 6 8 11 | <i>Bossiaea prostrata</i> | creeping bossiaea | |
| 13 16 17 | | | |
| 18 19 | | | |
| 13 16 18 | <i>Cytisus scoparius</i> | english broom | d |
| 19 28 | | | |
| 13 | <i>Daviesia latifolia</i> | hop bitterpea | |
| 13 | <i>Hovea heterophylla</i> | winter purplepea | |
| 5 7 8 9 10 | <i>Lotus corniculatus</i> | bird's-foot trefoil | i |
| 12 14 16 | | | |
| 19 26 27 | | | |
| 28 | | | |
| 6 26 | <i>Oxylobium ellipticum</i> | golden shaggypea | |
| 19 | <i>Platylobium obtusangulum</i> | common flatpea | |
| 6 7 16 18 | <i>Pultenaea dentata</i> | swamp bushpea | |
| 19 21 | | | |
| 5 7 11 12 | <i>Pultenaea juniperina</i> | prickly beauty | |
| 13 16 17 | | | |
| 23 26 | | | |
| 13 | <i>Trifolium repens</i> | white clover | i |
| 4 5 6 10 | <i>Trifolium subterraneum</i> | subterranean clover | i |
| 13 16 22 | | | |
| 27 28 | | | |
| 1 2 4 6 10 | <i>Ulex europaeus</i> | gorse | d |
| 11 12 16 | | | |
| 19 21 23 | | | |
| 24 25 28 | | | |
| | FAGACEAE | | |
| 19 | <i>Quercus robur</i> | english oak | i |
| | GENTIANACEAE | | |
| 4 5 6 7 10 | <i>Centaurium erythraea</i> | common centaury | i |
| 11 12 13 | | | |
| 14 15 17 | | | |
| 19 20 21 | | | |
| 22 23 24 | | | |
| 26 27 28 | | | |
| | GERANIACEAE | | |
| 5 12 13 | <i>Geranium potentilloides var.</i> | mountain cranesbill | |
| 16 26 28 | | | |
| | GOODENIACEAE | | |
| 6 | <i>Goodenia lanata</i> | trailing native-primrose | |

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| | | |
|--------------------------|---|----------------------------------|
| HALORAGACEAE | | |
| 12 18 19 | <i>Gonocarpus micranthus</i> subsp. | creeping raspwort |
| 28 | | |
| 1 4 5 6 7 | <i>Gonocarpus tetragynus</i> | common raspwort |
| 10 11 12 | | |
| 13 14 15 | | |
| 16 18 19 | | |
| 21 22 24 | | |
| 26 28 | | |
| HEMEROCALLIDACEAE | | |
| 6 12 | <i>Dianella tasmanica</i> | forest flaxlily |
| HYPOXIDACEAE | | |
| 7 9 | <i>Hypoxis hygrometrica</i> | golden weatherglass, golden star |
| LAMIACEAE | | |
| 15 19 20 | <i>Prunella vulgaris</i> | selfheal |
| 28 | | |
| LAURACEAE | | |
| 16 18 | <i>Cassytha glabella</i> | slender dodderlaurel |
| LINACEAE | | |
| 1 2 6 7 9 | <i>Linum marginale</i> | native flax |
| 10 11 12 | | |
| 13 15 16 | | |
| 17 19 20 | | |
| 21 28 | | |
| MYRTACEAE | | |
| 2 3 4 5 6 | <i>Eucalyptus amygdalina</i> | black peppermint |
| 7 10 11 | | |
| 12 13 14 | | |
| 15 16 17 | | |
| 18 21 24 | | |
| 25 26 28 | | |
| 6 7 8 15 | <i>Eucalyptus obliqua</i> | stringybark |
| 16 21 23 | | |
| 24 26 | | |
| 5 7 11 13 | <i>Eucalyptus ovata</i> var. <i>ovata</i> | black gum |
| 14 15 16 | | |
| 17 18 21 | | |
| 24 25 28 | | |
| 2 3 10 11 | <i>Eucalyptus viminalis</i> subsp. <i>viminalis</i> | white gum |
| 12 13 21 | | |
| 26 | | |
| 5 6 7 8 14 | <i>Leptospermum lanigerum</i> | woolly teatree |
| 17 24 | | |
| 5 6 7 8 14 | <i>Leptospermum scoparium</i> | common tea-tree |
| 15 16 17 | | |
| 18 24 26 | | |
| 27 | | |
| 5 14 16 | <i>Melaleuca eriáfolia</i> | coast paperbark |
| 18 19 22 | | |
| 25 26 | | |
| 6 | <i>Melaleuca squamea</i> | swamp honeymyrtle |
| 6 7 8 14 | <i>Melaleuca squarrosa</i> | scented paperbark |
| 15 18 19 | | |

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| | | | |
|-----------|--|-----------------------|----|
| 21 22 26 | | | |
| 27 | | | |
| | ONAGRACEAE | | |
| 7 | <i>Epilobium sp.</i> | willowherb | |
| | OROBANCHACEAE | | |
| 9 | <i>Parentucellia viscosa</i> | yellow glandweed | i |
| | OXALIDACEAE | | |
| 1 5 12 13 | <i>Oxalis corniculata subsp. corniculata</i> | yellow woodsorrel | |
| 14 15 17 | | | |
| 18 22 28 | | | |
| 26 | <i>Oxalis sp.</i> | woodsorrel | |
| | PHRYMACEAE | | |
| 14 19 | <i>Erythranthe moschata</i> | musk monkeyflower | i |
| | PITTIOSPORACEAE | | |
| 6 10 11 | <i>Billardiera mutabilis</i> | green appleberry | |
| 12 16 19 | | | |
| 26 | | | |
| 2 3 4 10 | <i>Bursaria spinosa subsp. spinosa</i> | prickly box | |
| 11 12 16 | | | |
| 25 | | | |
| 26 | <i>Pittosporum bicolor</i> | cheesewood | |
| | PLANTAGINACEAE | | |
| 12 | <i>Digitalis purpurea</i> | foxglove | i |
| 12 | <i>Plantago coronopus</i> | buckshorn plantain | i |
| 2 9 10 11 | <i>Plantago lanceolata</i> | ribwort plantain | i |
| 19 20 26 | | | |
| 28 | | | |
| 16 | <i>Veronica gracilis</i> | slender speedwell | |
| | POLYGONACEAE | | |
| 1 12 13 | <i>Acetosella vulgaris</i> | sheep sorrel | i |
| 23 | | | |
| 22 28 | <i>Rumex crispus</i> | curled dock | i |
| | PRIMULACEAE | | |
| 1 3 4 5 6 | <i>Lysimachia arvensis</i> | scarlet pimpernel | i |
| 7 8 10 11 | | | |
| 13 14 15 | | | |
| 19 22 25 | | | |
| 26 27 28 | | | |
| | PROTEACEAE | | |
| 3 6 10 11 | <i>Banksia marginata</i> | silver banksia | |
| 17 18 19 | | | |
| 23 26 27 | | | |
| 11 20 | <i>Hakea microcarpa</i> | smallfruit needlebush | |
| 11 12 13 | <i>Lomatia tinctoria</i> | guitarplant | en |
| 15 16 20 | | | |
| | RANUNCULACEAE | | |
| 11 13 26 | <i>Clematis aristata</i> | mountain clematis | |
| 6 9 19 | <i>Ranunculus amphitrichus</i> | river buttercup | |
| 7 10 13 | <i>Ranunculus repens</i> | creeping buttercup | i |
| 14 19 28 | | | |

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| | | | |
|-------------------------|--|-----------------------|---|
| RHAMNACEAE | | | |
| 4 6 10 11 | <i>Pomaderris apetala</i> | common dogwood | |
| 13 16 26 | | | |
| ROSACEAE | | | |
| 4 5 6 7 8 | <i>Acaena novae-zelandiae</i> | common buzzy | |
| 10 11 12 | | | |
| 13 14 15 | | | |
| 16 17 18 | | | |
| 19 20 22 | | | |
| 23 24 26 | | | |
| 28 | | | |
| 3 4 11 12 | <i>Crataegus monogyna</i> | hawthorn | i |
| 15 25 28 | | | |
| 9 16 17 | <i>Rosa rubiginosa</i> | sweet briar | i |
| 20 22 24 | | | |
| 25 28 | | | |
| 1 2 3 4 5 | <i>Rubus fruticosus</i> | blackberry | d |
| 6 11 12 | | | |
| 13 14 15 | | | |
| 16 17 18 | | | |
| 19 20 21 | | | |
| 22 23 24 | | | |
| 25 27 28 | | | |
| 16 18 | <i>Rubus parvifolius</i> | native raspberry | |
| RUBIACEAE | | | |
| 12 13 16 | <i>Coprosma quadrifida</i> | native currant | |
| 18 24 26 | | | |
| 27 | | | |
| 7 10 11 | <i>Galium australe</i> | tangled bedstraw | |
| 12 13 14 | | | |
| 16 19 21 | | | |
| 26 28 | | | |
| RUTACEAE | | | |
| 26 | <i>Zieria arborescens</i> | stinkwood | |
| SALICACEAE | | | |
| 4 28 | <i>Populus sp.</i> | poplar | i |
| SANTALACEAE | | | |
| 2 3 7 8 10 | <i>Exocarpos cupressiformis</i> | common native-cherry | |
| 11 12 13 | | | |
| 15 16 17 | | | |
| 18 20 21 | | | |
| 24 25 | | | |
| 16 17 18 | <i>Leptomeria drupacea</i> | erect currantbush | |
| 21 | | | |
| SAPINDACEAE | | | |
| 10 | <i>Dodonaea viscosa subsp. spatulata</i> | broadleaf hopbush | |
| SCROPHULARIACEAE | | | |
| 19 28 | <i>Verbascum thapsus</i> | great mullein | i |
| 19 | <i>Verbascum virgatum</i> | twiggy mullein | i |
| SOLANACEAE | | | |
| 6 9 19 25 | <i>Solanum nigrum</i> | blackberry nightshade | i |

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| | | | |
|------------|---|-------------------------|----|
| 26 28 | | | |
| | STYLIDIACEAE | | |
| 6 12 13 | <i>Stylidium graminifolium</i> | narrowleaf triggerplant | |
| 18 19 24 | | | |
| 27 28 | | | |
| | THYMELAEACEAE | | |
| 26 27 | <i>Pimelea drupacea</i> | cherry riceflower | |
| 4 5 6 13 | <i>Pimelea humilis</i> | dwarf riceflower | |
| 27 | | | |
| 3 16 17 | <i>Pimelea nivea</i> | bushmans bootlace | en |
| 28 | | | |
| | VIOLACEAE | | |
| 11 28 | <i>Meliccytus dentatus</i> | spiky violetbush | |
| 1 5 13 | <i>Viola hederacea</i> | ivy leaf violet | |
| | GYMNOSPERMAE | | |
| | PINACEAE | | |
| 1 4 16 18 | <i>Pinus radiata</i> | radiata pine | i |
| | MONOCOTYLEDONAE | | |
| | AGAPANTHACEAE | | |
| 19 | <i>Agapanthus praecox subsp. orientalis</i> | agapanthus | i |
| | ASPARAGACEAE | | |
| 1 2 3 4 5 | <i>Lomandra longifolia</i> | sagg | |
| 6 7 10 11 | | | |
| 12 13 14 | | | |
| 16 17 18 | | | |
| 19 20 21 | | | |
| 23 24 25 | | | |
| 26 | | | |
| | CYPERACEAE | | |
| 14 | <i>Baumea rubiginosa</i> | soft twigsedge | |
| 5 14 16 | <i>Baumea tetragona</i> | square twigsedge | |
| 22 | | | |
| 11 13 20 | <i>Carex appressa</i> | tall sedge | |
| 28 | | | |
| 19 22 | <i>Carex iynx</i> | tussock sedge | |
| 19 28 | <i>Cyperus eragrostis</i> | drain flatsedge | i |
| 5 6 7 8 10 | <i>Gahnia grandis</i> | cutting grass | |
| 13 14 15 | | | |
| 16 17 18 | | | |
| 19 21 22 | | | |
| 23 24 25 | | | |
| 26 27 | | | |
| 6 8 14 18 | <i>Gymnoschoenus sphaerocephalus</i> | buttongrass | |
| 16 | <i>Isolepis inundata</i> | swamp clubsedge | |
| 1 4 5 6 | <i>Isolepis sp.</i> | club rush | |
| 1 3 4 5 6 | <i>Lepidosperma elatius</i> | tall sword sedge | |
| 9 10 11 | | | |
| 12 13 14 | | | |
| 16 18 20 | | | |
| 22 24 27 | | | |
| 22 | <i>Lepidosperma ensiforme</i> | arching sword sedge | |

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| | | | |
|--------------------|--|----------------------|---|
| 10 | <i>Lepidosperma filiforme</i> | common rapier sedge | |
| 7 9 12 14 | <i>Schoenus apogon</i> | common bog sedge | |
| 16 17 21 | | | |
| 28 | | | |
| 5 6 7 8 14 | <i>Tetraria capillaris</i> | hair sedge | |
| 15 16 17 | | | |
| 27 | | | |
| IRIDACEAE | | | |
| 19 | <i>Crocsmia Xcrocsmiiflora</i> | montbretia | i |
| 6 7 17 | <i>Diplarrena moraea</i> | white flag-iris | |
| JUNCACEAE | | | |
| 6 9 | <i>Juncus bulbosus</i> | bulbous rush | i |
| 5 6 7 10 | <i>Juncus holoschoenus</i> | jointleaf rush | |
| 11 12 15 | | | |
| 16 17 19 | | | |
| 20 21 28 | | | |
| 4 22 | <i>Juncus pallidus</i> | pale rush | |
| 10 16 22 | <i>Juncus pauciflorus</i> | looseflower rush | |
| 3 7 9 12 | <i>Juncus procerus</i> | tall rush | |
| 13 23 | | | |
| 9 11 12 | <i>Juncus sarophorus</i> | broom rush | |
| 13 16 17 | | | |
| 18 19 20 | | | |
| 21 22 23 | | | |
| 26 27 28 | | | |
| ORCHIDACEAE | | | |
| 13 | <i>Chiloglottis sp.</i> | bird orchid | |
| 8 | <i>Spiranthes australis</i> | spiral orchid | |
| POACEAE | | | |
| 11 28 | <i>Agrostis capillaris</i> | brown top bent grass | i |
| 19 26 28 | <i>Aira caryophylla</i> | silvery hairgrass | i |
| 19 20 21 | <i>Aira elegantissima</i> | delicate hairgrass | i |
| 28 | | | |
| 3 5 6 7 8 | <i>Anthoxanthum odoratum</i> | sweet vernal grass | i |
| 10 11 12 | | | |
| 13 14 15 | | | |
| 16 17 19 | | | |
| 20 21 23 | | | |
| 24 26 27 | | | |
| 28 | | | |
| 1 2 3 4 7 | <i>Arrhenatherum elatius var. bulbosum</i> | bulbous oatgrass | i |
| 8 10 11 | | | |
| 12 14 15 | | | |
| 19 20 21 | | | |
| 26 28 | | | |
| 5 6 7 8 10 | <i>Austrostipa rudis subsp. australis</i> | southern speargrass | |
| 11 12 13 | | | |
| 14 15 16 | | | |
| 17 19 21 | | | |
| 23 26 27 | | | |
| 28 | | | |
| 28 | <i>Avena sativa</i> | cereal oat | i |

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| | | | |
|-----------|-----------------------------------|-----------------------|---|
| 19 26 28 | <i>Briza maxima</i> | greater quaking-grass | i |
| 3 4 6 10 | <i>Dactylis glomerata</i> | cocksfoot | i |
| 11 12 13 | | | |
| 14 15 16 | | | |
| 17 19 20 | | | |
| 21 22 24 | | | |
| 25 26 28 | | | |
| 28 | <i>Digitaria sanguinalis</i> | summergrass | i |
| 19 | <i>Eleusine tristachya</i> | crowsfoot grass | i |
| 19 20 25 | <i>Eragrostis cilianensis</i> | stinkgrass | i |
| 26 28 | | | |
| 19 25 28 | <i>Eragrostis pilosa</i> | soft lovegrass | |
| 1 2 3 7 9 | <i>Holcus lanatus</i> | yorkshire fog | i |
| 10 11 13 | | | |
| 17 19 21 | | | |
| 22 28 | | | |
| 10 20 28 | <i>Lolium perenne</i> | perennial ryegrass | i |
| 12 13 14 | <i>Microlaena stipoides</i> | weeping grass | |
| 15 17 21 | | | |
| 22 27 | | | |
| 12 19 28 | <i>Panicum capillare</i> | common witchgrass | i |
| 11 19 20 | <i>Paspalum dilatatum</i> | paspalum | i |
| 25 26 28 | | | |
| 19 28 | <i>Poa annua</i> | winter grass | i |
| 3 4 5 6 7 | <i>Poa labillardierei</i> | silver tussockgrass | |
| 10 11 12 | | | |
| 13 15 16 | | | |
| 17 24 27 | | | |
| 13 15 21 | <i>Poa sp.</i> | poa | |
| 10 11 12 | <i>Rytidosperma sp.</i> | wallabygrass | |
| 16 23 28 | | | |
| 9 14 19 | <i>Setaria parviflora</i> | slender pigeongrass | i |
| 25 28 | | | |
| 5 8 11 13 | <i>Tetrarrhena distichophylla</i> | hairy ricegrass | |
| 16 17 19 | | | |
| 26 27 28 | | | |
| 1 3 4 5 6 | <i>Themeda triandra</i> | kangaroo grass | |
| 7 8 10 11 | | | |
| 13 14 16 | | | |
| 17 19 20 | | | |
| 24 26 27 | | | |
| 28 | | | |
| | POTAMOGETONACEAE | | |
| 16 | <i>Potamogeton crispus</i> | curly pondweed | |
| | RESTIONACEAE | | |
| 6 14 17 | <i>Empodisma minus</i> | spreading roperush | |
| 19 21 23 | | | |
| 26 | | | |
| 6 7 8 14 | <i>Leptocarpus tenax</i> | slender twinerush | |
| 15 17 18 | | | |
| 26 27 | | | |
| | TYPHACEAE | | |
| 12 25 | <i>Typha latifolia</i> | great reedmace | i |

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| | | |
|-----------|---|----------------------|
| | PTERIDOPHYTA | |
| | ADIANTACEAE | |
| 10 12 | <i>Adiantum aethiopicum</i> | common maidenhair |
| | ASPIDIACEAE | |
| 12 14 22 | <i>Polystichum proliferum</i> | mother shieldfern |
| | BLECHNACEAE | |
| 6 14 15 | <i>Blechnum nudum</i> | fishbone waterfern |
| 16 23 26 | | |
| 6 16 | <i>Blechnum wattsii</i> | hard waterfern |
| | DENNSTAEDTIACEAE | |
| 1 3 4 5 6 | <i>Pteridium esculentum subsp. esculentum</i> | bracken |
| 7 8 10 11 | | |
| 12 13 14 | | |
| 15 16 17 | | |
| 18 19 20 | | |
| 21 22 23 | | |
| 24 25 26 | | |
| 27 28 | | |
| | DICKSONIACEAE | |
| 23 | <i>Dicksonia antarctica</i> | soft treefern |
| | GLEICHENIACEAE | |
| 6 7 14 15 | <i>Gleichenia microphylla</i> | scrambling coralfern |
| 22 26 27 | | |

**APPENDIX C: THREATENED FLORA OBSERVATIONS FROM THE
TASMANIAN NATURAL VALUES ATLAS****Threatened flora within 500 m¹****Table 6: Verified threatened flora records attributed to within 500 m of the project area; SS = Tasmanian Threatened Species Protection Act 1995, NS = Commonwealth Environment Protection and Biodiversity Conservation Act 1999**

Verified Records

| Species | Common Name | SS | NS | Bio | Observation Count | Last Recorded |
|--------------------------------|----------------------|----|----|-----|-------------------|---------------|
| <i>Acacia ulicifolia</i> | juniper wattle | r | | n | 2 | 30-Sep-1994 |
| <i>Aphelia pumilio</i> | dwarf fanwort | r | | n | 28 | 27-Jan-2021 |
| <i>Blechnum cartilagineum</i> | gristle fern | v | | n | 1 | 01-Jan-1930 |
| <i>Brunonia australis</i> | blue pincushion | r | | n | 228 | 27-Jan-2021 |
| <i>Epilobium pallidiflorum</i> | showy willowherb | r- | | n | 1 | 10-Nov-2004 |
| <i>Gratiola pubescens</i> | hairy brooklime | r | | n | 2 | 30-Nov-2012 |
| <i>Juncus prismatocarpus</i> | branching rush | r | | n | 1 | 31-Jan-1931 |
| <i>Lycopus australis</i> | australian gypsywort | e | | n | 7 | 31-Mar-2010 |
| <i>Lythrum salicaria</i> | purple loosestrife | v | | n | 1 | 27-Jan-2021 |
| <i>Persicaria decipiens</i> | slender waterpepper | v | | n | 1 | 31-Mar-2010 |
| <i>Pterostylis falcata</i> | sickle greenhood | e | | n | 5 | 31-Jan-1972 |
| <i>Thelymitra holmesii</i> | bluestar sun-orchid | r | | n | 2 | 01-Dec-1987 |
| <i>Uncinia elegans</i> | handsome hookseed | r | | t | 2 | 01-Jul-2020 |

Threatened flora within 5 km²**Table 7: Verified threatened flora records attributed to within 5 km of the project area; SS = Tasmanian Threatened Species Protection Act 1995, NS = Commonwealth Environment Protection and Biodiversity Conservation Act 1999**

Verified Records

| Species | Common Name | SS | NS | Bio | Observation Count | Last Recorded |
|---|----------------------|----|-----|-----|-------------------|---------------|
| <i>Acacia ulicifolia</i> | juniper wattle | r | | n | 2 | 30-Sep-1994 |
| <i>Alternanthera denticulata</i> | lesser joyweed | e | | n | 6 | 31-Mar-2010 |
| <i>Aphelia pumilio</i> | dwarf fanwort | r | | n | 34 | 27-Jan-2021 |
| <i>Asperula minima</i> | mossy woodruff | r | | n | 1 | 01-Jan-1990 |
| <i>Austrostipa blackii</i> | crested speargrass | r | | n | 2 | 06-Dec-2014 |
| <i>Blechnum cartilagineum</i> | gristle fern | v | | n | 1 | 01-Jan-1930 |
| <i>Brunonia australis</i> | blue pincushion | r | | n | 249 | 27-Jan-2021 |
| <i>Corunastylis nuda</i> | tiny midge-orchid | r | | n | 1 | 01-Mar-1946 |
| <i>Desmodium gunnii</i> | southern ticktrefoil | v | | n | 1 | 19-May-2010 |
| <i>Epacris exserta</i> | south esk heath | e | PEN | e | 5 | 25-Jan-2013 |
| <i>Epacris moscaliana</i> | seepage heath | r | | e | 1 | 29-Jan-2003 |
| <i>Epilobium pallidiflorum</i> | showy willowherb | r- | | n | 7 | 10-Nov-2004 |
| <i>Glycine latrobeana</i> | clover glycine | v | VU | n | 1 | 01-Jan-1990 |
| <i>Glycine microphylla</i> | small-leaf glycine | v | | n | 3 | 14-May-2016 |
| <i>Gratiola pubescens</i> | hairy brooklime | r | | n | 3 | 30-Nov-2012 |
| <i>Gynatrix pulchella</i> | fragrant hempbush | r | | n | 9 | 16-Apr-2018 |
| <i>Hibbertia virgata</i> | twiggy guineaflower | r | | n | 1 | 12-Nov-1962 |
| <i>Hyalosperma demissum</i> | moss sunray | e | | n | 1 | 01-Jan-1878 |
| <i>Juncus prismatocarpus</i> | branching rush | r | | n | 2 | 15-Feb-1956 |
| <i>Limonium australe</i> var. <i>australe</i> | yellow sea-lavender | r | | n | 7 | 08-Jun-2007 |
| <i>Lycopus australis</i> | australian gypsywort | e | | n | 45 | 28-Nov-2018 |
| <i>Lythrum salicaria</i> | purple loosestrife | v | | n | 73 | 27-Jan-2021 |
| <i>Orthoceras strictum</i> | horned orchid | r | | n | 2 | 01-Jan-1942 |
| <i>Persicaria decipiens</i> | slender waterpepper | v | | n | 65 | 28-Nov-2018 |
| <i>Prostanthera rotundifolia</i> | roundleaf mintbush | v | | n | 3 | 22-Nov-1996 |
| <i>Pterostylis falcata</i> | sickle greenhood | e | | n | 6 | 31-Jan-1972 |
| <i>Senecio squarrosus</i> | leafy fireweed | r | | n | 2 | 01-Nov-1984 |
| <i>Thelymitra holmesii</i> | bluestar sun-orchid | r | | n | 2 | 01-Dec-1987 |
| <i>Uncinia elegans</i> | handsome hookseed | r | | t | 2 | 01-Jul-2020 |
| <i>Veronica plebeia</i> | trailing speedwell | r | | n | 11 | 06-Dec-2014 |

¹ Natural Values Report nvr_4_12-Apr-2021² Natural Values Report nvr_5_12-Apr-2021

APPENDIX D: CONSERVATION SIGNIFICANT FLORA WITHIN 5 KM

| Species | National Status EPBCA | State Status TSPA | Records within 500m | Records within 5km | Habitat | Likelihood of Impact | Commentary |
|---|-----------------------|-------------------|---------------------|--------------------|---|----------------------|--|
| <i>Acacia ulicifolia</i> Juniper wattle | | Rare | 2 | 0 | Sandy coastal heaths, open forests and woodlands. | None | No suitable habitat in study area. |
| <i>Altemanthera denticulata</i> lesser joyweed | | Endangered | 0 | 6 | Rocky dolerite river margins, <i>Melaleuca ericifolia</i> swamp forest, and damp riparian grasslands. | None | No suitable habitat in study area. |
| <i>Aphelia puntillo</i> dwarf fanwort | | Rare | 28 | 6 | Damp flats with impeded drainage, typically in Themeda grasslands and woodland dominated by <i>Eucalyptus viminalis</i> , <i>E. amygdalina</i> or <i>E. ovata</i> . | None | Known from within the Marneys Hill reserve. No suitable habitat in the study area. |
| <i>Asperula minima</i> mossy woodruff | | Rare | 0 | 1 | Areas with impeded drainage such as <i>Melaleuca ericifolia</i> swamp forest, <i>E. ovata</i> forest, and land regenerating with sedges and rushes. | Very Low | One patch of suitable habitat exists under a power line easement (PPE) in the Frankford study area. Only one record from 1990 within 5 km. Likelihood of occurrence is low due to scarcity of observations. |
| <i>Austrostipa blackii</i> crested speargrass | | Rare | 0 | 2 | Margins of saline lagoons, creek outfalls, and vegetated dunes. Can also occur in grassy woodlands. | Very Low | There is limited habitat suitable for this species in the study area. |
| <i>Blechnum carlagineum</i> gristle fern | | Vulnerable | 1 | 0 | Sheltered sites along creek lines. | None | There is limited suitable habitat in the study area. One record from 1930. Unlikely to be overlooked. |
| <i>Brunonia australis</i> blue pincushion | | Rare | 228 | 21 | Grassy woodlands and dry sclerophyll forests dominated by <i>E. amygdalina</i> . Commonly | Very High | Recorded in two locations in the study area. Large populations are known from the Marneys Hill Reserve. Suitable |

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| Species | National Status EPBCA | State Status TSPA | Records within 500m | Records within 5km | Habitat | Likelihood of Impact | Commentary |
|--|--------------------------|--------------------------|---------------------|--------------------|---|----------------------|---|
| <i>Coronastylis nuda</i> Tiny midge orchid | | Rare | 0 | 1 | Various soil types and vegetation. | Very Low | One record from 1946. Peak flowering is in January/February. This species would not be detectable at the time of survey. Likelihood of occurrence is low due to scarcity of observations. |
| <i>Desmodium gunnii</i> southern ticktrefoil | | Vulnerable | 0 | 1 | Damp sclerophyll forest. | Very Low | There is some viable habitat in the Frankford study area, however likelihood of occurrence is low due to scarcity of observations. |
| <i>Epacris exserta</i> South Esk heath | Endangered (pending) | Endangered | 0 | 5 | Riparian areas subject to periodic inundation, mainly on alluvium amongst dolerite boulders. | None | Known from the South and North Esk, and Supply Rivers. No suitable habitat in the study area. |
| <i>Epacris moscaliana</i> seepage heath | | Rare | 0 | 1 | Riparian vegetation on dolerite. | None | No suitable habitat in the study area. |
| <i>Epilobium pallidiflorum</i> showy willowherb | | Rare (delisting pending) | 1 | 6 | Wet places such as <i>Melaleuca ericifolia</i> swamp forest and scrubby/sedgy <i>E. ovata</i> woodland. | Very Low | Known from within the study area near the Birralee/Frankford Road junction, but not detected during the study. A tall, distinctive herb that is unlikely to be overlooked, even when not in flower. |
| <i>Glycine latrobeana</i> small-leaf glycine | Vulnerable | Vulnerable | 0 | 1 | Various soil types and vegetation, mainly occurs in grassy/healthy forests and native grasslands. | Very Low | Some suitable habitat in the study area. Likelihood of occurrence is low due to scarcity of observations. |

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| Species | National Status EPBCA | State Status TSPA | Records within 500m | Records within 5km | Habitat | Likelihood of Impact | Commentary |
|--|-----------------------|-------------------|---------------------|--------------------|--|----------------------|--|
| <i>Glycine microphylla</i> small-leaf glycine | | Vulnerable | 0 | 3 | Dry to dampish sclerophyll forest and woodland in the north and east of the State | None | Some areas of suitable habitat in the study area. Likelihood of occurrence is low due to scarcity of observations. |
| <i>Gatelia pubescens</i> hairy brooklime | | Rare | 2 | 1 | Permanently or seasonally damp, swampy ground, including the margins of farm dams. | Very low | Known from the Black Sugarloaf Creek area. Very little habitat suitable in the study area and is unlikely to be overlooked. |
| <i>Gynatrix pulchella</i> fragrant hempbush | | Rare | 0 | 9 | Along rivers, drainage channels and floodplains. | Very low | Known from the Supply River area near Loira. A distinctive shrub that is unlikely to be overlooked. |
| <i>Hibbertia virgatum</i> twiggy guineaflower | | Rare | 0 | 1 | Sandy heaths and open woodlands in the north-east | None | There is no suitable habitat for this species in the study area. One record from 1962, near the mouth of the Supply River. Likelihood of occurrence is low due to scarcity of observations. |
| <i>Hyalosperma demissum</i> moss sunray | | Endangered | 0 | 1 | Rock pavements and shallow, sandy soils in dry areas, and in scalded patches in <i>E. amygdalina</i> forest and woodlands. | None | There is no suitable habitat for this species in the study area. One record from 1878, at Bradys Lookout. Given the age of the record, and the lack of suitable habitat, it is unlikely to occur in the study area. |
| <i>Juncus prismatocarpus</i> branching rush | | Rare | 1 | 1 | Sedgy/grassy margins of rivers, as well as floodplains and riparian vegetation. | None | This species is poorly understood due to a paucity of records in Tasmania. An existing record near the Meander River was surveyed but found the point location to be on the bitumen road. Some viable habitat exists in floodplain |

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Natural Values Assessment

| Species | National Status EPBCA | State Status TSPA | Records within 500m | Records within 5km | Habitat | Likelihood of Impact | Commentary |
|--|-----------------------|-------------------|---------------------|--------------------|--|----------------------|--|
| <i>Limonium australe</i> var. <i>australe</i> yellow sea-lavender | | Rare | 0 | 2 | Saltmarsh and saline areas | None | No suitable habitat in the study area. |
| <i>Lycopus australis</i> Australian gypswort | | Endangered | 7 | 38 | Moist, shaded places including <i>Melaleuca ericifolia</i> swamp forest, reed beds, and rocky riverbeds with riparian scrub. | None | Several records from the Meander River and Quamby Brook (Westbury) riparian areas. A distinctive species not likely to have been overlooked. |
| <i>Lythrum salicaria</i> purple loosestrife | | Vulnerable | 1 | 73 | Swamps, stream banks and rivers | Very Low | A distinctive species not likely to have been overlooked. |
| <i>Orthoceras strictum</i> horned orchid | | Rare | 0 | 2 | Wet heath and poorly drained soils in various vegetation or soaks. | Low | Peak flowering times are variable but usually occurs in spring and summer. Unlikely to be in flower at time of survey. There is some potential habitat, however the likelihood of occurrence is low due to scarcity of observations. |
| <i>Periscaria decipiens</i> slender waterpepper | | Vulnerable | 1 | 64 | Banks of rivers, streams, and farm dams. | Low | Numerous records known from Quamby Brook (Westbury). Several waterways provide suitable habitat but was not observed during the survey and is unlikely to be overlooked. |
| <i>Prostanthera rotundifolia</i> roundleaf mintbush | | Vulnerable | 0 | 3 | Flood-prone rocky riverbeds in dense riparian shrubby vegetation. | None | Records at Brady's Lookout (Roseyears), almost 5 km from study area. There is very limited habitat available for this species and is unlikely to be overlooked. |
| <i>Pterostylis falcata</i> sickle greenhood | | Endangered | 5 | 1 | Habitat is poorly understood, but probably includes damp | Moderate | Flowering in December/January. Would not be detectable at original time of survey although not seen in targeted |

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Northern Roads Stage 3: Birrallee and Frankford Road
Natural Values Assessment

| Species | National Status EPBCA | State Status TSPA | Records within 500m | Records within 5km | Habitat | Likelihood of Impact | Commentary |
|---|-----------------------|-------------------|---------------------|--------------------|---|----------------------|--|
| <i>Senecio squarrosus</i> leafy fireweed | | Rare | 0 | 2 | Dry grassy forests but can extend into wet forests and other vegetation types. | Very Low | Suitable habitat exists primarily in the Birrallee study area. Likelihood of occurrence is low due to scarcity of observations, and the species is distinctive and is unlikely to be overlooked. |
| <i>Thelymitra holmesii</i> bluestar sun-orchid | | Rare | 2 | 0 | Moist areas of grassland, healthy open forest, and heathland in water-retentive soils such as clay loam and peaty loam, in soaks. | Very Low | Only flowers on warm, sunny days, typically in early summer. Unlikely to be detectable at the time of survey. |
| <i>Uncinia elegans</i> handsome hook-sedge | | Rare | 2 | 0 | Wet and dry sclerophyll forests and open grassy woodlands. Mostly associated with damp grassy habitats. | Very Low | Two recent records from the Marney's Hills reserve. There is limited habitat suitable for this species in the study area. |
| <i>Veronica plebeia</i> trailing speedwell | | Rare | 0 | 11 | Dry to damp sclerophyll forest dominated by <i>E. amygdalina</i> on dolerite or Tertiary sediments. Can also occur in <i>E. ovata</i> grassy woodlands and <i>Melaleuca ericifolia</i> forests. | Low | There are several patches of suitable habitat throughout the study area. Flowers would not be present at the time of survey; however, the distinctive leaves of this species are unlikely to have been overlooked. |

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**APPENDIX E: THREATENED FLORA OBSERVATIONS FROM THE
TASMANIAN NATURAL VALUES ATLAS****Threatened fauna within 500 m¹****Table 8: Verified threatened fauna records attributed to within 500 m of the project area; SS = Tasmanian Threatened Species Protection Act 1995, NS = Commonwealth Environment Protection and Biodiversity Conservation Act 1999**

Verified Records

| Species | Common Name | SS | NS | Bio | Observation Count | Last Recorded |
|--|------------------------------|----|-----|-----|-------------------|---------------|
| <i>Accipiter novaehollandiae</i> | grey goshawk | e | | n | 8 | 20-Jan-2021 |
| <i>Aquila audax</i> | wedge-tailed eagle | pe | PEN | n | 4 | 01-May-2018 |
| <i>Aquila audax subsp. fleayi</i> | tasmanian wedge-tailed eagle | e | EN | e | 4 | 18-Oct-2020 |
| <i>Dasyurus maculatus</i> | spotted-tail quoll | r | VU | n | 10 | 03-Sep-2020 |
| <i>Dasyurus maculatus subsp. maculatus</i> | spotted-tail quoll | r | VU | n | 5 | 23-Feb-2021 |
| <i>Dasyurus viverrinus</i> | eastern quoll | | EN | n | 4 | 11-Dec-2019 |
| <i>Lathamus discolor</i> | swift parrot | e | CR | mbe | 6 | 09-Dec-2002 |
| <i>Litoria raniformis</i> | green and gold frog | v | VU | n | 5 | 05-Jul-2020 |
| <i>Perameles gunnii</i> | eastern barred bandicoot | | VU | n | 12 | 04-Mar-2020 |
| <i>Sarcophilus harrisi</i> | tasmanian devil | e | EN | e | 18 | 17-Jan-2021 |
| <i>Tyto novaehollandiae subsp. castanops</i> | masked owl (Tasmanian) | e | VU | e | 6 | 26-Oct-2020 |

Threatened fauna within 500 m based on range boundaries**Table 9: Threatened fauna with potential to occur within 500 m of the project area based on range boundaries; SS = Tasmanian Threatened Species Protection Act 1995, NS = Commonwealth Environment Protection and Biodiversity Conservation Act 1999**

| Species | Common Name | SS | NS | BO | Potential | Known | Core |
|--|----------------------------------|----|----|-----|-----------|-------|------|
| <i>Pasmaditta jungermanniae</i> | Cataract Gorge Pinhead Snail | v | | e | 1 | 0 | 0 |
| <i>Lathamus discolor</i> | swift parrot | e | CR | mbe | 1 | 0 | 0 |
| <i>Dasyurus maculatus subsp. maculatus</i> | spotted-tail quoll | r | VU | n | 1 | 0 | 1 |
| <i>Litoria raniformis</i> | green and gold frog | v | VU | n | 1 | 0 | 1 |
| <i>Pseudomys novaehollandiae</i> | new holland mouse | e | VU | n | 1 | 0 | 0 |
| <i>Prototroctes maraena</i> | australian grayling | v | VU | ae | 1 | 0 | 0 |
| <i>Pseudemoia pagenstecheri</i> | tussock skink | v | | n | 1 | 0 | 0 |
| <i>Antipodia chaostola</i> | chaostola skipper | e | EN | ae | 1 | 0 | 0 |
| <i>Galaxias fontanus</i> | swan galaxias | e | EN | e | 1 | 0 | 0 |
| <i>Haliaeetus leucogaster</i> | white-bellied sea-eagle | v | | n | 3 | 0 | 0 |
| <i>Tyto novaehollandiae subsp. castanops</i> | masked owl (Tasmanian) | e | VU | e | 1 | 0 | 1 |
| <i>Limnodynastes peroni</i> | striped marsh frog | e | | n | 1 | 0 | 0 |
| <i>Catadromus lacordairei</i> | Green-lined ground beetle | v | | n | 1 | 0 | 0 |
| <i>Sarcophilus harrisi</i> | tasmanian devil | e | EN | e | 1 | 0 | 0 |
| <i>Accipiter novaehollandiae</i> | grey goshawk | e | | n | 1 | 0 | 1 |
| <i>Perameles gunnii</i> | eastern barred bandicoot | | VU | n | 1 | 0 | 1 |
| <i>Aquila audax subsp. fleayi</i> | tasmanian wedge-tailed eagle | e | EN | e | 1 | 0 | 0 |
| <i>Engaeus granulatus</i> | Central North burrowing crayfish | e | EN | e | 1 | 0 | 0 |
| <i>Dasyurus viverrinus</i> | eastern quoll | | EN | n | 0 | 0 | 1 |

¹ Natural Values Report nvr_4_12-Apr-2021

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Threatened fauna within 5 km¹

Table 10: Verified threatened fauna records attributed to within 5 km of the project area; SS = Tasmanian Threatened Species Protection Act 1995, NS = Commonwealth Environment Protection and Biodiversity Conservation Act 1999

Verified Records

| Species | Common Name | SS | NS | Bio | Observation Count | Last Recorded | |
|---|------------------------------|----|-----|-----|-------------------|---------------|-------------|
| Accipiter novaehollandiae | grey goshawk | e | | n | 34 | 20-Jan-2021 | |
| Aquila audax | wedge-tailed eagle | pe | PEN | n | 20 | 28-Jul-2018 | |
| Aquila audax subsp. fleayi | tasmanian wedge-tailed eagle | e | EN | e | 68 | 18-Oct-2020 | |
| Botaurus poiciloptilus | australasian bittern | | EN | n | 1 | 01-Dec-1973 | |
| Dasyurus maculatus | spotted-tail quoll | r | VU | n | 26 | 03-Sep-2020 | |
| Dasyurus maculatus subsp. maculatus | spotted-tail quoll | r | VU | n | 16 | 23-Feb-2021 | |
| Dasyurus viverrinus | eastern quoll | | EN | n | 21 | 26-Aug-2020 | |
| Dromaius novaehollandiae | emu | px | PEX | ix | 1 | 01-Jan-1862 | |
| Eagle sp. | Eagle | e | EN | n | 1 | 07-Mar-2017 | |
| Haliaeetus leucogaster | white-bellied sea-eagle | v | | n | 32 | 06-Jun-2020 | |
| Hirundapus caudacutus | white-throated needletail | | | VU | n | 11 | 16-Feb-2018 |
| Lathamus discolor | swift parrot | e | CR | mbe | 8 | 09-Dec-2002 | |
| Limodynastes peronii | striped marsh frog | e | | n | 3 | 03-Oct-2017 | |
| Litoria raniformis | green and gold frog | v | VU | n | 47 | 20-Nov-2020 | |
| Pasmaditta jungermanniae | Cataract Gorge Pinhead Snail | | | e | 1 | 08-Nov-1984 | |
| Perameles gunnii | eastern barred bandicoot | | VU | n | 119 | 08-Jul-2020 | |
| Podiceps cristatus | great crested grebe | v | | n | 2 | 21-Sep-2016 | |
| Poliiocephalus cristatus subsp. australis | great crested grebe | pv | | | 1 | 01-Jan-1978 | |
| Pseudemoia pagenstecheri | tussock skink | v | | n | 8 | 01-Jun-2018 | |
| Pseudemoia rawlinsoni | glossy grass skink | r | | n | 2 | 19-Jan-2009 | |
| Sarcophilus harrisi | tasmanian devil | e | EN | e | 88 | 17-Jan-2021 | |
| Sterna albifrons subsp. sinensis | little tern | e | | n | 1 | 01-Jan-1900 | |
| Sterna nereis subsp. nereis | fairy tern | v | VU | n | 1 | 01-Jan-1900 | |
| Tyto novaehollandiae | masked owl | pe | PVU | n | 22 | 06-Jun-2020 | |
| Tyto novaehollandiae subsp. castanops | masked owl (Tasmanian) | e | VU | e | 6 | 26-Oct-2020 | |

Threatened fauna within 5 km based on range boundaries

Table 11: Threatened fauna with potential to occur within 5 km of the project area based on range boundaries; SS = Tasmanian Threatened Species Protection Act 1995, NS = Commonwealth Environment Protection and Biodiversity Conservation Act 1999

| Species | Common Name | SS | NS | BO | Potential | Known | Core |
|---------------------------------------|----------------------------------|----|----|-----|-----------|-------|------|
| Pseudomys novaehollandiae | new holland mouse | e | VU | n | 2 | 0 | 0 |
| Pasmaditta jungermanniae | Cataract Gorge Pinhead Snail | v | | e | 1 | 1 | 0 |
| Lathamus discolor | swift parrot | e | CR | mbe | 1 | 0 | 0 |
| Dasyurus maculatus subsp. maculatus | spotted-tail quoll | r | VU | n | 1 | 0 | 3 |
| Litoria raniformis | green and gold frog | v | VU | n | 1 | 0 | 1 |
| Prototroctes maraena | australian grayling | v | VU | ae | 1 | 0 | 0 |
| Antipodia chaostola | chaostola skipper | e | EN | ae | 2 | 0 | 0 |
| Pseudemoia pagenstecheri | tussock skink | v | | n | 1 | 0 | 0 |
| Pseudemoia rawlinsoni | glossy grass skink | r | | n | 0 | 0 | 1 |
| Galaxias fontanus | swan galaxias | e | EN | e | 1 | 0 | 0 |
| Astacopsis gouldi | giant freshwater crayfish | v | VU | e | 1 | 0 | 0 |
| Haliaeetus leucogaster | white-bellied sea-eagle | v | | n | 3 | 0 | 0 |
| Tyto novaehollandiae subsp. castanops | masked owl (Tasmanian) | e | VU | e | 1 | 0 | 1 |
| Limodynastes peroni | striped marsh frog | e | | n | 1 | 0 | 0 |
| Galaxiella pusilla | eastern dwarf galaxias | v | VU | n | 1 | 0 | 0 |
| Accipiter novaehollandiae | grey goshawk | e | | n | 1 | 0 | 2 |
| Catadromus lacordairei | Green-lined ground beetle | v | | n | 1 | 0 | 0 |
| Sarcophilus harrisi | tasmanian devil | e | EN | e | 1 | 0 | 0 |
| Perameles gunnii | eastern barred bandicoot | | VU | n | 1 | 0 | 1 |
| Aquila audax subsp. fleayi | tasmanian wedge-tailed eagle | e | EN | e | 1 | 0 | 0 |
| Engaeus granulatus | Central North burrowing crayfish | e | EN | e | 1 | 0 | 0 |
| Dasyurus viverrinus | eastern quoll | | EN | n | 0 | 0 | 1 |

¹ Natural Values Report: nvr_5_12-Apr-2021

APPENDIX F: CONSERVATION SIGNIFICANT FAUNA WITHIN 5 KM

| Species | Status | Records in 500m / 5km | Potential to occur | Observations and Preferred Habitat ¹ |
|---|----------------------------|-----------------------|---|--|
| | TSPA / EPBCA | | | |
| MAMMALS | | | | |
| <i>Dasyurus maculatus</i> subsp. <i>maculatus</i> Spotted-tailed quoll | Rare / VULNERABLE | 15 / 27 | Denning: NONE Foraging: LOW | This naturally rare forest-dweller most commonly inhabits wet forest but also occurs in dry forest. It forages and hunts on farmland and pasture, travelling up to 20 km at night, and shelters in logs, rocks, or thick vegetation. Numerous sightings of this species within 500 m and 5 km of the study area. The study area provides some foraging and shelter habitat. No burrows were found on site. |
| <i>Dasyurus viverrinus</i> Eastern quoll | Endangered / ENDANGERED | 4 / 17 | Denning: NONE Foraging: MODERATE | Occurs in most parts of Tasmania but is recorded infrequently in the wetter western third of the state. This species' distribution is associated with areas of low rainfall and cold winter minimum temperatures. It is found in a range of vegetation types including open grassland (including farmland), tussock grassland, grassy woodland, dry eucalypt forest, coastal scrub and alpine heathland, but is typically absent from large tracts of wet eucalypt forest and rainforest. The study area provides some foraging and shelter habitat. No burrows were found on site though small and hard to find. |
| <i>Perameles gunnii</i> Eastern barred bandicoot | Endangered / - | 12 / 107 | MODERATE | Native vegetation within the potential impact area is suitable for this species to breed and forage and previous records are known from within the study area. However, the species is highly unlikely to go locally extinct due to a proposal of this scale and nature and is capable of persisting in modified peri-urban environments with high rates of mortality. |

¹ Forest Practices Authority and Threatened Species Section (2016)

| Species | Status TSPA / EPBCA | Records in 500m / 5km | Potential to occur | Observations and Preferred Habitat ¹ |
|---|-------------------------|--------------------------|-------------------------------------|---|
| <i>Pseudomys novaehollandiae</i> New holland mouse | Endangered / - | 0 / 0 | NONE | Core habitat is coastal dry heath on a sandy substrate with a dense and floristically diverse understorey. There is no suitable habitat for this species, and thus, no chance of it occurring. |
| <i>Sarcophilus harrisi</i> Tasmanian devil | Endangered / ENDANGERED | 18 / 70 | Denning: NONE Foraging: MODERATE | Inhabits forest, woodland, and agricultural areas. They are nocturnal hunters and scavengers. During the day they shelter in caves, old burrows, and thick scrub. Devil facial tumour disease is the main threat to this species. The protection of maternal dens is important to assist recovery. The study area provides sub-optimal denning habitat for this species; no dens, burrows, or scats were observed during the study. Due to wide-ranging nature of this species, it is probable that devils forage in the area. |
| BIRDS | | | | |
| <i>Accipiter novaehollandiae</i> Grey goshawk | Endangered / - | 8 / 26 | Nesting: NONE Foraging: VERY LOW | Inhabits large tracts of wet forest and swamp forest, particularly patches with closed canopies above an open understorey, but with dense stands of prey habitat nearby. Mature trees provide the best nesting sites. Most nests have been recorded from blackwoods and occasional myrtle beech. There is one nest known from the Marnneys Hill Reserve, within 500 m of the study area. No impacts to this nest are anticipated. No suitable habitat is present in the immediate vicinity. Juveniles or non-breeding adults may visit the area on occasion. |
| <i>Aquila audax</i> subsp. <i>flayi</i> Wedge-tailed eagle | Endangered / ENDANGERED | 8 / 80 | Nesting: NONE Foraging: MODERATE | Requires large old growth trees in sheltered areas for nesting and is highly sensitive to disturbance during the breeding season. There is two known nests within 1 km of the site (one of which is within 500 m, but with no line of sight to the study area), and several within 5 km. |

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| Species | Status TSPA / EPBCA | Records in 500m / 5km | Potential to occur | Observations and Preferred Habitat ¹ |
|---|----------------------------|--------------------------|--|---|
| <i>Botaurus poiciloptilus</i> Australasian bittern | - / ENDANGERED | 0 / 1 | Nesting: NONE Foraging: NONE | Highly cryptic species, utilising wetlands, and lakes with a dense cover of vegetation. Whilst once common on Tasmania's north/east coasts, the numbers of Australasian bitterns in the state during the last two decades have declined significantly in both their range and numbers. No suitable habitat is present on site. |
| <i>Haliaeetus leucogaster</i> White-bellied sea-eagle | Vulnerable / - | 0 / 32 | Nesting: NONE Foraging: LOW | Similar habitat requirement to the wedge-tailed eagle but this is primarily a coastal species whose main foraging habitat is around open water. There are no known nests within 1 km of the site and no suitable nesting. Activities and construction unlikely to impact this species. |
| <i>Hirundapus caudacutus</i> White-throated needletail | - / VULNERABLE | 0 / 11 | Nesting: NONE Foraging: NONE | A migratory species, breeding in central and north-eastern Asia in Siberia, Mongolia, northern-eastern China, and northern Japan. It migrates south through eastern China, Korea and Japan spending its non-breeding season in eastern and south-eastern Australia including Tasmania. Is almost exclusively aerial, occurring over most types of habitat with a preference to wooded areas, open forests, heathland, and rainforests. Due to their aerial nature, this species is most likely unaffected by terrestrial habitat alteration outside of its Northern Hemisphere breeding range. |
| <i>Lathamus discolor</i> Swift parrot | Endangered / ENDANGERED | 6 / 2 | Nesting: LOW Foraging: MODERATE | Requires tree hollows for nesting and feeds on the nectar of blue gum (<i>E. globulus</i>) and black gum (<i>E. ovata</i>) flowers. Numerous <i>E. ovata</i> are present for foraging, although greater foraging potential for this species is found outside of the study area. |

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| Species | Status TSPA / EPBCA | Records in 500m / 5km | Potential to occur | Observations and Preferred Habitat ¹ |
|---|----------------------------|--------------------------|--|--|
| <i>Polycephalus cristatus subsp. australis</i> Great crested grebe | Vulnerable / - | 0 / 3 | Nesting: NONE Foraging: NONE | Inhabits wetlands, deep lakes, rivers, and swamps and prefers a combination of open water and dense reedbeds. No open water or wetlands in study area, so no habitat present. No potential impacts associated with the proposal. |
| <i>Sterna albifrons subsp. sinensis</i> Little tern | Endangered / - | 0 / 1 | Nesting: NONE Foraging: NONE | Breeds in small colonies above high tide mark on coastal beaches, sheltered inlets, estuaries, lakes, lagoons, and river mouths. No likelihood of nesting or foraging on site. |
| <i>Stemula nereis subsp. nereis</i> Fairy tern | Vulnerable / VULNERABLE | 0 / 1 | Nesting: NONE Foraging: NONE | Nests on remote shingle banks and sandspits and disperses to around the coast to forage offshore for fish. No likelihood of nesting or foraging on site. |
| <i>Tyto novaehollandiae castanops</i> Masked owl | Endangered / - | 6 / 22 | Nesting: LOW Foraging: MODERATE | Tasmanian masked owls have been previously confirmed nesting in Marney's Hill reserve, which is within 500 m of the study area. The nesting habitat within this reserve will not be impacted, nor is it likely that associated noise impact from construction will detract from the presence of this species in the reserve. The study area contains a small number of large trees, only one of which was observed to have a hollow suitable for a masked owl to nest in. Due to the proximity to a busy transport corridor, it was deemed unlikely that masked owls would utilise this tree for nesting. It is probable that this species forages in the study area. |

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| Species | Status TSPA / EPBCA | Records in 500m / 5km | Potential to occur | Observations and Preferred Habitat ¹ |
|---|----------------------------|--------------------------|--------------------|--|
| REPTILES | | | | |
| <i>Pseudemoia pagenstecheri</i> Tussock skink | Vulnerable / - | 0 / 8 | VERY LOW | A ground-dwelling lizard, occurring in grassland and grassy woodland habitats at a range of elevations. Records in Tasmania a few disconnected patches of habitat from Midlands, Inland Cradle Coast, and eastern Bass Strait islands. There is limited habitat suitable for this species in the study area and the proposed works are unlikely to impact on this species. |
| <i>Pseudemoia rawlinsoni</i> Glossy grass skink | Rare / - | 0 / 1 | VERY LOW | This species is a ground dwelling lizard, occurring in swampy and wetland sites. Has a widespread and scattered distribution in Tasmania, known from locations on the east coast, north coast, inland near Cradle Mt, and Cape Barren Island. There is limited habitat suitable for this species in the study area and the proposed works are unlikely to impact on this species. |
| AMPHIBIANS and FISH | | | | |
| <i>Galaxias fontanus</i> Swan galaxias | Endangered / ENDANGERED | 0 / 0 | NONE | The Swan galaxias is known only from the Swan River and Macquarie River catchments of eastern Tasmania. It is known to only inhabit areas not colonised by the introduced brown trout (<i>Salmo trutta</i>). This species is not known from within 5 km and is the study area is not within the known catchments for this species. |
| <i>Galaxiella pusilla</i> Eastern dwarf galaxias | Vulnerable / VULNERABLE | 0 / 0 | NONE | Confined to lowland swampy areas where it shelters amongst aquatic vegetation in shallows of slow flowing water in backwaters of creeks and drainage ditches in the far NE and NW parts of Tasmania and Flinders Island. There is no suitable habitat for this species in the study area. |

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| Species | Status TSPA / EPBCA | Records in 500m / 5km | Potential to occur | Observations and Preferred Habitat ¹ |
|--|----------------------------|--------------------------|--------------------|---|
| <i>Limnodynastes peronii</i> Striped marsh frog | Endangered / - | 0 / 3 | VERY LOW | Limited in Tasmania to the far northeast around Waterhouse (where it co-exists with the green and gold frog), the northwest and King Island. It can respond to shorter periods of inundation to successfully breed than the green and gold frog, so is also known from less permanent water bodies. Potential habitat for the striped marsh frog is natural and artificial coastal and near-coastal wetlands, lagoons, marshes, swamps, and ponds (including dams), with permanent freshwater and abundant marginal, emergent, and submerged aquatic vegetation. |
| <i>Litoria raniformis</i> Green and gold frog | Vulnerable / VULNERABLE | 5 / 42 | VERY LOW | In Tasmania is found in lowland areas, primarily coastal. They require permanent or temporary water bodies for survival and tend to inhabit ones containing emergent plants such as <i>Cyrtogeton procerum</i> or species of <i>Juncus</i> or sedge. They are rarely seen in open water and spend most of their time in vegetation at the water's edges. They depend upon permanent fresh water for breeding, which occurs in Spring and Summer. Records within 500 m of the study area are sparsely distributed, with one record on the Meander River, and one at a dam near Roxford Avenue most likely to contain the highest quality habitat. Habitat within the study area is marginal at best, with weedy creeks and culverts present. Green and gold frogs may utilise these for dispersal, but they do not represent significant breeding habitat, and as such have a very low chance of occurring within the study area. Within 5 km of the study area, important breeding habitat for this species is present, particularly at the Westbury Town Common. The scale of the proposed works are not likely to have significant direct impacts, nor impact viable habitat for this species. |
| <i>Protoctes mearnsi</i> Australian grayling | Vulnerable / VULNERABLE | 0 / 0 | NONE | In Tasmania, the diadromous Australian Grayling has been found in northern, eastern, and western rivers. Little is known of the population size. The major threat to the species is the construction |

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| Species | Status TSPA / EPBCA | Records in 500m / 5km | Potential to occur | Observations and Preferred Habitat ¹ |
|---|----------------------------|--------------------------|--------------------|---|
| INVERTEBRATES | | | | |
| <i>Antipodia chaostola</i> Chaostola skipper | Endangered / _ | 0 / 0 | NONE | This species appears to be very uncommon and localised in its distribution. It is thought to prefer dry open eucalypt forest containing <i>Gahnia radula</i> or <i>G. microstachya</i> which are the larval food plants within which they construct shelters. Not known from within 5 km. There is no habitat suitable for this species in the study area. |
| <i>Astacopsis gouldi</i> Giant freshwater crayfish | Vulnerable / VULNERABLE | 0 / 0 | NONE | The known range of the giant freshwater crayfish includes rivers and streams in the Arthur River catchment and all rivers and streams flowing into Bass Strait except those of the Tamar River catchment and rivers east of Gladstone. The potential range of the species is not likely to extend outside the known range. The study area is within the Tamar River catchment placing it outside of the known range for this species. Although there are several creeks and drainage channels in the area that may provide viable habitat, it is unlikely that the proposed works will impact upon this species. |
| <i>Catadromus lacordairei</i> Green-lined ground beetle | Vulnerable / _ | 0 / 0 | NONE | This species has only been recorded from a small number of sites in Tasmania, mainly in the northern and central Midlands. It also occurs on mainland Australia. The species occurs in open grassy woodland associated with wetlands at low elevations. This species is not known from within 5 km, and there is no suitable habitat in the study area. |
| <i>Engaeus granulatus</i> Central North burrowing crayfish | Endangered / ENDANGERED | 0 / 0 | NONE | Endemic to Tasmania, occurring only between the Mersey River and Port Sorell, northern Tasmania. Habitat for the Central North Burrowing Crayfish includes stream-side vegetation, seepages, |

North Barker Ecosystem Services
V1.1 PAS124 25/08/2022

Document Set ID: 1826311
Version: 1, Version Date: 02/10/2023

12.1.12 Application Documents

Northern Roads Stage3: Birralleand Frankford Road
Natural Values Assessment

| Species | Status TSPA / EPBCA | Records in 500m / 5km | Potential to occur | Observations and Preferred Habitat ¹ |
|---|------------------------|--------------------------|--------------------|---|
| <i>Pasmaditta jungermanniae</i> Cataract Gorge pinhead snail | Vulnerable / - | 0 / 1 | NONE | <p>No chimneys were observed during the study, and as the study area is outside of the core range for this species, it is unlikely to occur.</p> <p>The Cataract Gorge snail occurs in gorges around Launceston. It is present in Cataract Gorge between First Basin and Kings Bridge. It occurs mainly on very steep dolerite slopes covered in places by scrubby/wet riparian forest. It lives under carpets of moss, lichen and grasses covering these slopes, crawling on the open rocky surface to graze in wet or misty conditions.</p> <p>Numerous specimens were collected from Notley Gorge in 1984, however it has not been relocated there since.</p> <p>There is no chance of this species occurring in the study area.</p> |

APPENDIX G - PRE-CLEARANCE CHECK AND UNANTICIPATED DEN DISCOVERY PROTOCOL

Background

The natural values assessment undertaken for the Birralee and Frankford Road shoulder widening works did not record any potential dens within the study area for the Tasmanian devil, eastern quoll, or spotted-tail quoll, species variously listed under both the Tasmanian *Threatened Species Protection Act 1995* (TSPA) and the federal *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA). It was subsequently concluded to be a low likelihood that dens would be present within the design corridor at the point of works. Nonetheless, as a conservative measure of precaution, the NVA recommended:

- A pre-clearance check and unanticipated den discovery protocol (for devils and quolls) must be implemented across the entire construction corridor.

The protocol is subsequently recommended to be undertaken as follows across the entire construction area, as well as any associated works areas that will require ground disturbance.

Pre-clearance Check and Unanticipated Den Discovery Protocol

Application of this protocol (sections A through D) will require approval to decommission dens under a permit to take products of wildlife, issued under the *Nature Conservation Act 2002* (NCA) by the Department of Natural Resources and Environment Tasmania.

The protocol can largely be undertaken by the civil contractors, with input on specific aspects of the den assessment and management by suitably qualified ecologists (the Ecologist). Some oversight and control of hold-points will be required by either regulators or the proponent and in that case linked to contract requirements for the contractor.

A- Pre-clearance check for potential dens

- (i) Approximately two weeks prior to any vegetation clearance and/or ground-breaking works in a particular area, the contractor must undertake a walkover of the impact area (including a 50 m buffer) and systematically search for potential dens.
- (ii) Any potential den sites¹ will be investigated and recorded for consulting with the Ecologist. Potential dens are mostly soil burrows/holes in the substrate with an appropriate entrance hole, but also include clusters of boulders with cavities, dense clumps of vegetation with visible animal use, rock outcrops, and dry hollow logs.
- (iii) To assist the Ecologist in assessing likelihood of use, the general quality of each potential den will be inspected in relation to factors such as soil warmth (sunlight), proneness to inundation, landscape position, *etc.* Factors including spider webs, delicate fungi, wear marks, hairs, scats, and footprints at potential den entrances will be noted as potential indicators of activity (or non-activity). On receipt of this information and photographs, the Ecologist may advise if the burrow is not being used (*i.e.* definitively inactive and vacant), in which case it can be decommissioned under a permit to destroy a product of wildlife under the NCA. (Note, if the potential den is not within the necessary clearance area, *i.e.* is within the survey buffer, it should not be decommissioned.)

¹ As devils and quolls are known to opportunistically occupy burrows dug by other species (principally wombats), the protocol manages any burrow as potential habitat for a listed threatened species.

12.1.12 Application Documents

- (iv) If no potential dens are found that require application of Section B, the application of the protocol can proceed to Section C.
- (v) Section B, the 'den monitoring assessment' will be applied to any potential den that the Ecologist concludes has evidence of use by a devil or quoll, or evidence of use by a species that cannot be determined, and any den that is considered to be highly suitable for devil or quoll occupation but does not have definitive evidence of being vacant at the time of assessment. An exclusion zone of a 50 m radius will be established around any potential den that warrants application of Section B and will remain in place until the requirements of Section B are completed. Note, if the potential den is not within the necessary clearance area, *i.e.* is within the survey buffer, it will simply be treated as an exclusion zone for the duration of works.
- (vi) Clearance will not commence (or any other soil disturbance) in the exclusion zone until that den or burrow is confirmed vacant and the exclusion zone can be lifted as per Section C.

B- Den monitoring assessment

The den monitoring assessment involves the following:

- (i) At least two infra-red motion sensor cameras will be installed at each entrance of each burrow. Camera settings will be - sensitivity: high; capture method: video; capture length > 20 sec; capture delay interval: 0 seconds.
- (ii) Cameras will remain in place for at least 7 nights.
- (iii) After this time, footage will be inspected to identify captures¹, with the following possible outcomes (with input from the Ecologist if devils or quolls are captured).
 - a. If a pouch-laden devil or quoll, an imp (young devil) or a kitten (young quoll) are recorded using a den, or if an individual devil or quoll is recorded using a den for two or more nights and displaying natal characteristics, then the den will be treated as a likely maternal den.

For a likely maternal den, cameras and the 50 m exclusion zone will remain in place until:

- the den is no longer necessary for the rearing of young and it is confirmed that the mother and young have discontinued use of the den;
- or continued monitoring definitively establishes that the den is in fact not a maternal den (e.g. pouch-laden females may visit multiple dens before dropping their young in one location, and some females may be observed showing natal characteristics [such as lactating and scent marking] around dens in which they have not dropped their young).

Following either of these scenarios the den can be decommissioned while vacant.

- b. If any devil or quoll is using a den regularly (*i.e.* almost every night) outcome 'a' will apply. If a den is found to be in regular use to this degree by a species other than a devil or quoll, a one-way gate will be installed, and monitoring will continue until a time when the den is definitively vacant and can be decommissioned.

¹ If this is done in the field, outcomes a, b, c or d may apply immediately. If memory cards are collected for desktop analysis, cards (and batteries if necessary) will be replaced, and camera(s) will remain in place for continued monitoring until action can be informed by the footage. In other words, monitoring will always continue up until the point of decommissioning, which will only be undertaken when an assessment of all footage up until that time has established the den is vacant at the time. A one-way gate may be used in any of the different outcomes to facilitate vacancy (only if the 7 nights of footage has sufficiently informed the action).

12.1.12 Application Documents

- c. If a den is found to be in opportunistic use only by any species (*i.e.* not occupied for several consecutive nights; in which scenario there are usually several different animals and species frequenting the burrow), the footage from the night and morning immediately prior to the inspection will be used to determine occupancy at that time. If the burrow is conclusively vacant at the time of inspection, it will be decommissioned at that time. If an animal is within the burrow at that time, either a one-way gate will be installed to aid eviction, or the burrow will be revisited the following day and occupancy re-determined based on the footage from the previous night and morning. Monitoring of the burrow (with or without a gate) will continue until a time when it is conclusively vacant at the time of inspection and can be decommissioned.
- d. If a den is found to be inactive (no evidence of use), it can be decommissioned.

C- Reporting and regulation

- (i) If Section B does not apply, the contractor can advise the proponent (or regulator) of the area searched and seek approved clearance (release of hold point) within the designated area.
- (ii) If Section B applies, the area approved for clearance may be conditional upon the maintenance of exclusion zones around active dens or dens still under assessment. Once the monitoring requirements of Section B are completed and dens have been decommissioned, the contractor can request exclusion zones are lifted and unconditional clearance granted for the designated area.
- (iii) Approval to clear in a designated area should only be valid for up to 8 weeks, after which time a new den check and assessment will be required unless an extension to this window is approved by the proponent/regulator (noting an extension may be considered sufficiently low risk in some scenarios, as informed by Section A and B results).
- (iv) If the works area is divided into coupes, the process must be repeated until surveying of the entire footprint is complete.

D- Unanticipated discoveries

- (i) Notwithstanding Section C (i) and (ii), should a previously unidentified or unanticipated discovery of a potential den be found by the contractor (or other parties) during works, an assessment as per Section A (iii) and (v) is to be undertaken, and, if necessary, the den monitoring assessment as per Section B adopted.

12.1.13 Agency Consultation - Tasnetworks

From: "Council Referrals" <Council.Referrals@tasnetworks.com.au>
Sent: Mon, 25 Sep 2023 11:21:19 +1000
To: "Abbie Massey" <Abbie.Massey@mvc.tas.gov.au>
Subject: RE: PA\24\0067- (Full Application) - Planning Application -1554 Birraleee Road & 44 Delantys Road WESTBURY - Road Upgrades CN23-200523

Hi,

Thank you for your email on 11/09/2023 referring the abovementioned development.

Based on the information provided, the development is likely to adversely affect TasNetworks' operations.

TasNetworks are currently working with the Department of State Growth to relocate affected poles along this route. The work will be ongoing with revisions underway as easements are granted (or not) by the affected land owners.

Kind Regards,

Belinda Lehner
Customer Relationship Specialist
Negotiated Connection Applications Team
PH: 03 6324 7645 | Email: belinda.lehner@tasnetworks.com.au
Work Hours: Mon/Tue/Thu 8:30 -4:30; Wed & Fri 8:30-3pm.



1 Australis Drive, Rocherlea 7250
PO Box 419, Launceston TAS 7250
www.tasnetworks.com.au
[@TasNetworks](https://twitter.com/TasNetworks) [f](https://www.facebook.com/TasNetworks) /TasNetworks

You may be contacted by CSBA (Customer Benchmarking Australia) to participate in a survey. TasNetworks engages CSBA to survey our customers who have been through the connections process so we can use this valuable feedback to improve your connections journey.

The information contained in this message, and any attachments, may include confidential or privileged information and is intended solely for the intended recipient(s). If you are not an intended recipient of this message, you may not copy or deliver the contents of this message or its attachments to anyone. If you have received this message in error, please notify me immediately by return email or by the telephone number listed above and destroy the original message. This organisation uses third party virus checking software and will not be held responsible for the inability of third party software packages to detect or prevent the propagation of any virus how so ever generated.

Development & Regulatory Services

Council Submission to Public Consultation of Draft Development Assessment Panel (DAP) Framework

Report Author Thomas Wagenknecht
Strategic Planner

Authorised by Krista Palfreyman
Director Development & Regulatory Services

Decision Sought That Council endorse the attached submission on the Draft Development Assessment Panel Framework, and its submission to the State Planning Office.

Vote Simple majority

Recommendation to Council

That Council:

1. Endorse the attachment '*Meander Valley Council Submission – Draft Development Assessment Panel (DAP) Framework*' as its submission to the public exhibition of the Draft Development Assessment Panel (DAP) Framework; and
2. Approve the lodgment of Council's submission provided as Attachment 1 to the State Planning Office.

Report

The Premier has announced the development of new legislation to allow certain development applications to be determined by an independent Development Assessment Panel (DAP) appointed by the Tasmanian Planning Commission. The stated intent of introducing a legislated DAP framework is to provide an alternate approval pathway outside of Council's decision-making functions and to '*take the politics out of planning*' for more complex or contentious development applications.

A Position Paper on the proposed DAP framework has been released by the State Planning Office (SPO) for public consultation for a six-week period, commencing on 19th October 2023 and closing on 20th November 2023. A copy of this Position Paper, including the draft DAP framework, is attached.

At its core, the Position Paper seeks feedback on:

- Establishing a process where certain planning applications (such as more complex or contentious planning applications) may, or must, be assessed by an independent Development Assessment Panel instead of by the local Planning Authority;
- Establishing a process where the Minister can direct a council to initiate a draft amendment to their respective Local Provisions Schedule under certain circumstances; and
- Potential improvements to appeal/review processes for further information requests.

Six key consultation issues have been raised within the Position Paper:

1. Types of development applications suitable for referral to a DAP for determination;
2. Provision of an enhanced role for the Minister to direct a council to initiate a planning scheme amendment under certain circumstances;
3. Incorporating local knowledge in DAP decision making and ensuring that the DAP framework to complement existing processes and avoids duplication of administrative processes;
4. Resolving issues associated with requests for, and responses to, further information;
5. Appeal rights and assessment timeframes for DAP determined applications; and
6. The role of the planning authority post DAP determination of a development application.

The preparation of a DAP framework is intended to inform the drafting of an amendment to the *Land Use Planning and Approvals Act 1993*, referred to as the 'Land Use Planning and Approvals (Development Assessment Panel) Amendment Bill 2024' by the SPO (see Figure 1 below).

Land Use Planning and Approvals (Development Assessment Panel) Amendment Bill 2024 - development timeline



Figure 1: Land Use Planning and Approvals (Development Assessment Panel) Amendment Bill 2024 – Development Timeline (SPO 2023)

The attached submission outlines Council’s position on the merits of the implementation of a DAP framework. In summary, the Council submits that there is fundamentally no demonstrated need for a DAP framework of the type and scale contemplated by the Position Paper and that:

- The proposed solution to the cited issues, such as the conflicting role of Councillors, is a gross overreaction that would unduly curtail local decision-making and the agency of Council when acting as the Planning Authority. This is made abundantly clear when Position Paper itself acknowledges that the evidence of *‘inappropriate political determination of applications is limited to isolated, but well publicised, cases’*. Such significant reform is not warranted by so few cases;
- Decisions made by the DAP will not be representative of local ratepayers, will not reflect the aspirations of the community and will not have a fine grain understanding of the values (whether they be natural, landscape, heritage, cultural, scenic, coastal or waterway) that the local community cherish and hold in high esteem;

- The absence of third-party appeal rights against the decision of the DAP will remove a critical opportunity for community involvement considering the application would not be decided by local representatives (i.e., the Council as Planning Authority). This would undermine any faith that matters raised by both applicants and representors will be meaningfully heard, understood, and addressed;
- Decisions made by the DAP would be made by technical specialists appointed by the Tasmanian Planning Commission who will not be responsible to the local community for the decisions they make. The members of the DAP will not be held accountable for their decisions, and it will be left up to Council to bear the burden of regulating the activity;
- The 'conflicting role of Councillors', perceived or actual, is a type of conflict they already actively manage day-in day-out irrespective of their role as Planning Authority. Councillors are equipped with the knowledge and experience, in addition to technical support from officers, to make tough decisions that balance a range of statutory and non-statutory matters in the pursuit of bettering their community within the legislation framework they must abide by; and
- The Major Projects Assessment process could easily be refined to include assessments of projects such as critical infrastructure and large housing projects undertaken by Homes Tasmania and registered Community Housing providers rather than introducing an entirely new planning assessment pathway.

Removal of the ability for councils to choose whether to initiate an amendment to their own Local Provisions Schedule, and instead be forced by the Minister to initiate amendments that the community potentially does not support, would likewise remove the agency of local communities to decide their own strategic future. Such a mechanism would undermine any social license strategic planning has as a worthwhile local endeavor and is likewise unreservedly opposed.

The Position Paper and draft Development Assessment Panel (DAP) Framework was discussed with Councillors at the October Workshop.

The Council's representation is detailed in the attachment *Meander Valley Council Submission – Draft Development Assessment Panel (DAP) Framework*.

Attachments

1. MVC Submission on Draft Development Assessment Panel Framework [13.1.1 - 3 pages]
2. Position Paper - Development Assessment Panel Framework (incl. draft DAP framework) [13.1.2 - 28 pages]

Strategy Supports the objectives of Council's strategic future direction

1: a sustainable natural and built environment
3: vibrant and engaged communities
5: innovative leadership and community governance.

See Meander Valley Community Strategic Plan 2014-24. [Click here](#) or visit www.meander.tas.gov.au/plans-and-strategies to view.

Policy Not applicable

Legislation *Land Use Planning and Approvals Act 1993*

Local Government Act 1993; s28 2(c)

Consultation Not applicable - consultation being undertaken by the State Planning Office

Budget & Finance Not applicable

Risk Management In making a submission within the timeframes, Council ensures its views are considered.

Alternative Motions Council may amend the submission.



60310/0

XXX November 2023

State Planning Office
Department of Premier and Cabinet
GPO Box 123
HOBART TAS 7001

Dear Sir/Madam

Meander Valley Council Submission on Draft Development Assessment Panel (DAP) Framework

I write to provide the Meander Valley Council (Council) submission in response to the Position Paper on a proposed Development Assessment Panel (DAP) Framework currently open for consultation.

In short, Council opposes the proposed legislative reform in its entirety, with particular reference to (i) the establishment of any form of Development Assessment Panel that would remove Council's current responsibility to act as Planning Authority and (ii) conferring powers to the Minister to compel a council to initiate amendments to its respective Local Provisions Schedule. It is the opinion of Council that there is fundamentally no demonstrated need for the legislative reforms the Position Paper contemplates and that:

- The proposed solutions to the cited issues, such as the conflicting role of Councillors, is a gross overreaction that would unduly curtail local decision-making and agency of Council when performing its statutory Planning Authority functions.

The Stage 2 – Interim Report of the Future of Local Government Review clearly states that *'while the Board believes there is a tension between councillors' role as community advocates and their role as a member of a planning authority, it has heard mixed and conflicting evidence about whether this is a significant problem, or if the tension is being appropriately managed in most cases'* and that it would seek further feedback in Stage 3 before it lands on a proposed way forward. The issue of Councils' role in assessing development applications was subsequently removed from the scope of the review, with the result being the announcement of a proposed DAP Framework several months later. Even the Position Paper acknowledges that the evidence of *'inappropriate political determination of*

13.1.1 MVC Submission On Draft Development Assessment Panel Framework

applications is limited to isolated, but well publicised, cases'. The justification for the establishment of a DAP framework is clearly lacking and is one of the clearest examples of how politics truly affects planning processes and good governance.

- Decisions made by the DAP will not be representative of local ratepayers, will not reflect the aspirations of the community and will not have a fine grain understanding of the values (whether they be natural, landscape, heritage, cultural, scenic, coastal or waterway) that the local community cherish and hold in high esteem. There is a legitimate role for local leaders to determine planning applications in a public forum, particularly for contentious planning applications to ensure that the decision is fair, transparent, and representative. This role should not be removed, even in part, due to a few isolated cases.
- While it is true that the Combined Permit and Amendment and Major Projects processes do not provide third-party rights of appeal this does not mean that locally important applications ought to have that right removed. The absence of third-party appeal rights against the decision of the DAP will remove a critical opportunity for community involvement when local representation (in the form of the Council as Planning Authority) is also proposed to be removed. This would instead undermine any faith that matters raised by both applicants and representors will be meaningfully heard, understood, and addressed.
- Decisions made by the DAP would be made by technical specialists, likely appointed by the Tasmanian Planning Commission, who will not be responsible to the local community for the decisions they make. The members of the DAP will subsequently not be held accountable to their decisions, and it will be left up to Council to bear the burden of regulating the activity and any resulting community fallout.
- The 'conflicting role of Councillors', perceived or actual, is a type of conflict they already actively manage irrespective of their role as Planning Authority. Councillors are equipped with their own knowledge and experience, and with technical support from officers to make tough decisions that balance a range of statutory and non-statutory matters in the pursuit of bettering their community within the established legislative framework. Councillors are chosen by their local community to make the tough decisions on behalf of said community, including contentious and complex planning decisions, and are able to bring a degree of humanity and empathy to proceedings that are not always achieved by the legalistic and technical tendencies of specialists.

13.1.1 MVC Submission On Draft Development Assessment Panel Framework

- The existing Major Projects Assessment process could easily be refined to include assessments of projects such as critical infrastructure and large housing projects undertaken by Homes Tasmania and registered Community Housing providers, rather than introducing an entirely new planning assessment pathway, if this is the true impetus for this proposed reform.
- Removal of the ability for Councils to choose whether to initiate an amendment to their own Local Provisions Schedule, and instead be forced to initiate amendments that the community potentially does not support, would likewise remove the agency of local communities to decide their own strategic future. Such a mechanism would undermine any social license strategic planning has as a worthwhile local endeavor and is likewise unreservedly opposed.
- Tasmania is already experiencing a chronic shortage of experienced planners at all levels of government and the private sector. Where will the experienced professionals who will sit on the DAP come from? If from local government, then the issue of DAPs would place greater strain upon existing resourcing limitations. If from state government, particularly the Tasmanian Planning Commission, then there is a risk that the quality of the statewide strategic decision-making will not be as sound as may be envisaged if also not sufficiently resourced. If from the private sector then how will conflicts of interest be appropriately managed?
- The art of crafting legislation is to make it detailed enough to be operable while simple enough to be followed. The approvals processes in Tasmania are already characterised by multiple pathways of assessment and referrals that lead the average citizen completely bamboozled by how to get approval for sometimes something as simple as a shed in their backyard. Keep it simple. The introduction of yet another assessment pathway will not streamline or simplify proceedings.

Thank you for providing Council with the opportunity to submit its position on this matter.

Regards

Wayne Johnston
Mayor

Development Assessment Panel (DAP) Framework

Position Paper



State Planning Office
Department of Premier and Cabinet



Author:
State Planning Officer

Publisher:
Department of Premier and Cabinet

Date:
October 2023

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ATTACHMENT I - Draft DAP Framework



1. Introduction

The Tasmanian Government has announced the preparation of new legislation to introduce independent Development Assessment Panels (DAPs) to take over some of councils' decision-making functions on certain development applications.

The stated intent for introducing DAPs is 'to take the politics out of planning' by providing an alternate approval pathway for more complex or contentious development applications.

Any DAP determined applications will still be assessed against the current planning rules and use and development standards in existing planning schemes. It is intended that, where possible, the DAP framework will utilise existing processes and incorporate local knowledge into the decision-making process.

The project also consider whether there should be an enhanced role for the Minister to direct a council to initiate a planning scheme amendment under certain circumstances.

The purpose of this Position Paper is to explore these matters by providing some background context on the role of council, identifying the current issues associated with determining development applications, seeking input on what applications might be suitable to be determined by a DAP, options for what a DAP framework might look like and how it might be integrated into the planning system.

Throughout the Position Paper 'Consultation issues' are identified and followed by text boxes containing specific questions that are intended initiate conversations for the purpose of consultation. In addition, to help explain what a DAP framework might look like, an outline of a draft framework is provided in **Attachment I** for comment.

2. Background

2.1 Role of planning authorities

In Tasmania, councils are 'planning authorities' with defined responsibilities to determine development applications in accordance with the *Land Use Planning and Approvals Act 1993* (LUPAA). Section 48 of the LUPAA requires that:

'where a planning scheme is in force, the planning authority must, within the ambit of its power, observe, and enforce the observance of, that planning scheme in respect of all use and development undertaken within the areas to which the planning scheme relates.'

A council is required to act as a planning authority when it is determining development applications, irrespective of the personal or political views of individual Councillors and the constituents they represent. This presents a degree of conflict for those elected to represent their constituents under the *Local Government Act 1993* and perform the planning authority function. This conflicted role of Councillors has been identified in the Future of Local Government Review Stage 2 Interim Report (the Interim Report) (released in May 2023).

The Interim Report identified that there was strong division between those who believe Councillors have a legitimate role in making planning decisions on development applications,



and those who believe the role should relate primarily to strategic land use planning where they can legitimately represent community views in planning processes leaving decisions on applications to local professional planners, or in the case of complex applications, by independent planning panels. Indeed, some councils specifically requested that planning decisions be totally removed from elected councils.

Following the publication of the Interim Report, the Minister for Local Government amended the terms of reference for the Future of Local Government Review by removing councils' development assessment role, and referred this to the Minister for Planning for further consideration.

The Interim Report identified eight reform outcomes with some applicable reform options to consider. Of relevance to the Planning portfolio, Reform outcome 5 – “Regulatory frameworks, systems and processes are streamlined, simplified, and standardised” identifies the following options:

- *Deconflict the role of councillors and planning authorities*
 - *Refer complex planning development applications to independent assessment panels appointed by the Tasmanian Government*
 - *Remove councillors' responsibility for determining development applications*
 - *Develop guidelines for the consistent delegation of development applications to council staff.*

Typically, planning authorities don't consider many amendments to planning schemes, however they still have the potential to raise similar issues of conflict between planning considerations and the preferences of some constituents, to those experienced when determining development applications. Although the initiation process only signifies the commencement of the assessment of the planning scheme amendment, refusing to initiate is effectively a refusal of the application to amend the planning scheme and it does not progress to exhibition and assessment by the Council and final determination by the Commission.

As part of seeking feedback on a legislative framework for DAPs, the scope of this Position Paper has been broadened so that where Councillors are, or perceived to be, conflicted or compromised, or making a decision based not on planning considerations, whether it may be appropriate for the Minister to have the power to direct a Council to initiate in certain circumstances.

If there is support for an alternate planning scheme amendment initiation pathway, it would seem logical to include it as part of this project and incorporate any amendments to the Act in a single draft Bill. Any recommendations to include an alternate initiation pathway that is informed by the outcomes of this consultation process will be further consulted on early next year.

2.2 Planning system

Since 2014, the Government has been implementing significant reforms to the Tasmanian planning system, including delivery of the Tasmanian Planning Scheme, the development of



the Tasmanian Planning Policies and a comprehensive review of the three regional land use strategies.

The results of these reforms are now becoming apparent. The Tasmanian Planning Scheme is in effect in 23 local government areas and the most recent consolidated data from 2021-22 shows that discretionary applications are being determined in a median timeframe of 38 days (40 average) and permitted in 21 days (21 average). Where the 'clock is stopped' to request further information, discretionary applications are being determined across the State in a median of 46 days (53 average) including those 'clock stopped' days.

By way of comparison, noting the differences in assessment processes and classifications, in the June 2023 'Improving the Performance of Land Zoning, Planning and Land Release System' report prepared for the Australian Government Treasury, average approval times in South Australia were around 46 days, Northern Territory 55 days, Australian Capital Territory 61 days, New South Wales 83 days, Queensland 86 days and Victoria a median of 81 days and an average of 129 days. There were no figures for Western Australia, but the statutory time frame for the equivalent of permitted developments is 60 days and for discretionary is 90 days (as opposed to 28 days and 42 days in Tasmania).

Tasmanian councils are also determining more applications than ever before, with annual totals rising from around 6,500 in 2016-17 to over 12,000 in 2021-22. In 2021-22 there were also over 1,750 single dwellings signed off in a matter of days as no permit required.

These statistics indicate that overall, our planning system is already among the fastest, if not the fastest, in the country when it comes to determining development applications.

However, the broad rights of appeal provided under Tasmanian legislation mean that these very timely outcomes are sometimes extended by an appeal process by many months resulting in an overall approval timeframe of perhaps 9-12 months. The appeal process provides a very important check and review of the initial decision of the planning authority by an independent panel of experts with the opportunity for all parties including those that made representations, to speak to their issues and test the evidence of other parties.

A review of the use of panels to determine development applications in other planning jurisdiction reveals that most States have an alternate pathway to local councils for determining certain developments. Although the nature of each DAP framework differs according to the underlying planning system, typically each model relies on meeting certain application criteria to be suitable for referring an application to a panel for determination with the assessment and determination functions of other development applications remaining with local government. Additionally, many of these other jurisdictions do not have the broad third party appeal rights that apply in Tasmania, meaning the DAP process and decision is more aligned to the appeal or review process.

Development Assessment Panels, or their equivalent, are already used in the determination of certain developments in the Tasmanian planning system including major and state significant projects and those which are dependent on a concurrent planning scheme amendment.



13.1.2 Position Paper - Development Assessment Panel Framework (Incl. Draft DAP Framework)

The Tasmanian Planning Commission (the Commission) is an independent statutory authority that reviews, advises on, and determines a range of land use planning matters. In performing these functions, it delegates tasks to expert panels.

The current proposal to develop a DAP framework is based on the principle of utilising existing parts of the planning system that are working well, including the existing and highly regarded independence and expertise of the Commission, in establishing DAPs to determine applications.

With respect to the proposal to introduce a role for the Minister to direct that a planning scheme amendment should be initiated, this too will retain the current process with Panels established by the Commission determining planning scheme amendments.

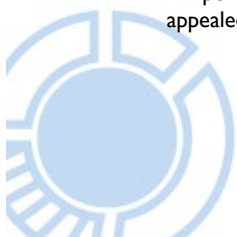
The table below identifies where Panels are currently used to determine development applications in the State's planning system¹. While these types of developments are not determined by the planning authority, they are informed by, and rely heavily on, the information and understanding of local issues received from it through submission, reporting or recommendations including a draft permit and conditions.

| Legislation | Type of Assessment | Panel established by: |
|---|--|---|
| LUPAA | Major Project | Tasmanian Planning Commission |
| LUPAA | Combined planning scheme amendment and permit application | Tasmanian Planning Commission |
| <i>Major Infrastructure Development Approval Act 1999</i> | Linear infrastructure proposals across multiple municipalities | Tasmanian Planning Commission or decision made by a Combined Planning Authority |
| <i>State Policies and Projects Act 1993 -</i> | Projects of State Significance | Tasmanian Planning Commission |

Table 1. Types of applications determined by independent expert panels.

The types of developments that are currently determined by a Panel are often complex, large in scale, time consuming, expensive and resource intensive assessment processes or involve changes to the planning scheme rules. To be eligible for these alternate assessment pathways, applications are required to meet eligibility requirements specified in the respective Acts.

¹ Expert DAPs are also used to determine discretionary development applications where the decision has been appealed to TasCAT



3. Identification of Issues

3.1 Conflicting role of Councillors

Despite the statistical evidence, there remains a perception that some Councils are less supportive of new development than others and that on occasion the personal views of elected councillors in relation to a proposed development, such as large-scale apartments, or social housing, may influence their decision-making despite being outside of the relevant planning scheme considerations they are bound to administer as part of the obligations of a planning authority.

The State Government has committed to delivering 10,000 new social and affordable houses by 2032. As identified in the Interim Report, where a development is controversial, there can be a tension between councillors' role as community advocates and as members of a statutory planning authority. The proposed DAP framework is intended to remove this tension and to deliver appropriate and timely assessments of housing projects undertaken by Homes Tasmania and registered Community Housing Providers.

Currently, only a small proportion of all development applications actually come before the elected members for decision with between 85 and 90 percent being routinely determined under delegation by council officers. These development applications are assessed by council planners against the requirements of the relevant planning scheme in accordance with the established processes defined in LUPAA. Many planning authorities delegate the determination of development applications to senior officers, and to sub committees. While only a small percentage of applications are determined by the full elected council, these applications typically involve a significant number of representations and are therefore subject to higher levels of local political interest. In some circumstances the full elected council will determine any application that has been recommended by council planners for refusal or where the application is actually proposed by council.

Because the evidence is that the inappropriate political determination of applications is limited to isolated, but well publicised, cases, the response should be proportional, so it does not undermine the integrity and success of the existing reforms, or the planning system itself. Changes should only be proposed where an issue has been identified. Additionally, any proposed changes should seek to utilise those parts of the assessment process that are operating efficiently.

Based on the discussion so far the following issues have been identified for feedback:



Consultation issue 1 – Types of development applications suitable for referral to a DAP for determination

a) What types of development applications are problematic, or perceived to be problematic, for Councils to determine and would therefore benefit from being determined by a DAP?

Options

- i. Applications for social and affordable housing which often attract considerable opposition within the local community based on social stigma rather than planning matters;
- ii. Critical infrastructure;
- iii. Applications where the Council is the applicant and the decision maker;
- iv. Applications where Councillors express a conflict of interest in a matter and a quorum to make a decision cannot be reached;
- v. Contentious applications where Councillors may wish to act as elected representatives supporting the views of their constituents which might be at odds with their role as a member of a planning authority;
- vi. Where an applicant considers there is bias, or perceived bias, on the part of a Council or Councillors;
- vii. Complex applications where the Council may not have access to appropriate skills or resources;
- viii. Application over a certain value;
- ix. Other?

b) Who should be allowed to nominate referral of a development application to a DAP for determination?

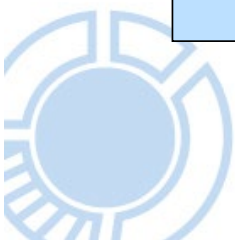
Options

- i. Applicant
- ii. Applicant with consent of the planning authority;
- iii. Planning authority
- iv. Planning authority with consent of the applicant
- v. Minister

c) Given the need for a referral of an application to a DAP might not be known until an application has progressed through certain stages of consideration (such as those set out in a) above) have been carried out, is it reasonable to have a range of referral points?

Options

- i. At the beginning for prescribed proposals;
- ii. Following consultation where it is identified that the proposal is especially contentious;
- iii. At the approval stage, where it is identified that Councillors are conflicted.



Consultation issue 2 – Provision of an enhanced role for the Minister to direct a council to initiate a planning scheme amendment under certain circumstances.

- a) Under what circumstances should the Minister have a power to direct the initiation of a planning scheme amendment by a Council?
- b) Is it appropriate for the Minister to exercise that power where the Council has refused a request from an applicant and its decision has been reviewed by the Tasmanian Planning Commission?

For example:

Section 40B allows for the Commission to review the planning authority's decision to refuse to initiate a planning scheme amendment and can direct the planning authority to reconsider the request. Where that has occurred, and the planning authority still does not agree to initiate an amendment, is that sufficient reason to allow Ministerial intervention to direct the planning authority to initiate the planning scheme amendment, subject to the Minister being satisfied that the LPS criteria is met?

- c) Are there other threshold tests or criteria that might justify a direction being given, such as it aligns to a changed regional land use strategy, it is identified to support a key growth strategy, or it would maximise available or planned infrastructure provision?

3.2 Retaining local input

One of the concerns of a DAP framework is that it relies on decisions being made by experts that do not necessarily have the local knowledge that would otherwise be available within a local council and considered and applied when determining a development application.

The proposed DAP framework can utilise and benefit from this local knowledge. By way of example the current assessment process for a combined planning scheme amendment and permit application (s. 40T of LUPAA or s.43A under the former provisions of LUPAA) is undertaken by both the planning authority and the Commission, with the Commission being the final decision maker. For the development application component of a s43A or s40T application, it is the planning authority that assesses the proposal against the amended provisions of the planning scheme, issues a draft permit, undertakes the notification procedures in accordance with the LUPAA, it receives representations and addresses the issues raised by the representations. All these matters are presented in a report prepared by the council officers and provided to the Commission. Then all parties including those that made representations are invited to attend a hearing and present their issues before the final determination is made by the panel.



This is a tried and tested process that ensures valuable local input into the assessment and allows all parties to present their case and be heard directly by the decision maker. Being an established process that is understood by planners it has been identified as the preferred basis for the preliminary draft DAP framework as presented in Attachment 1.

Consultation issue 3 –

- i. **Incorporating local knowledge in DAP decision making.**
- ii. **DAP framework to complement existing processes and avoid duplication of administrative processes.**

- a) To allow DAP determined applications to be informed by local knowledge, should a Council continue to be:
 - the primary contact for applicants;
 - engage in pre-lodgement discussions;
 - receive applications and check for validity;
 - review application and request additional information if required;
 - assess the application against the planning scheme requirements and make recommendations to the DAP.
- b) Is the current s43A (former provisions of the Act) and s40T of the Act processes for referral of a development application to the Commission, initial assessment by Council and hearing procedures suitable for being adapted and used in the proposed DAP framework?

3.3 Request for further information

There have also been concerns raised by both Council and the development industry regarding request for further information stalling the determination of development applications.

Application requirements are specified under clause 6.1 of the State Planning Provisions. The application requirements are intended to give applicants certainty as to the range of matters and level of detail needed in their application to allow the planning authority to undertake its assessment against the provisions of the planning scheme.

Once the planning authority receives a valid application the assessment ‘clock’ commences against either the timeframe of 28 days for the assessment of a permitted application or 42 days for a discretionary application. Section 54 of LUPAA allows the planning authority to request additional information from the applicant where the application lacks the necessary information for the planning authority to undertake an assessment. The time taken for the



applicant to respond to the planning authority's request does not count towards the assessment timeframe as the 'clock is stopped'. The assessment clock recommences once the planning authority is satisfied that the information provided addresses the matters raised in the request for additional information.

There is anecdotal evidence that with some contentious proposals (particularly social housing) the additional information process is being used to delay or frustrate the timely assessment of a proposal. While a request for further information can be appealed to the Tasmanian Civil and Administrative Tribunal (TasCAT) the associated costs and uncertainty regarding the timeframe for resolution is a deterrent.

Sections 40A and 40V allows an applicant to request the Commission to review the planning authority's request for additional information for an amendment to an LPS and a combined amendment and planning permit (respectively). Similar provisions, sections 33B and 43EA, apply under the former provisions of LUPAA.

These sections of LUPAA provide an opportunity for the applicant to test the requirement for, and content of, requests for further information from the planning authority. The Commission can direct the planning authority to revoke the request for additional information, issue a new notice requesting additional information or determine that the request for additional information was appropriate.

This raises questions around what the appropriate process is for resolving contended additional information requests where the proposed DAP process is being used.

Consultation issue 4 – Resolving issues associated with requests for, and responses to, further information.

- a) Should a framework for DAP determined development applications adopt a process to review further information requests similar to the requirements of section 40A and 40V of LUPAA?
- b) Are there any changes that could be made to the Act or planning scheme to improve requests for, and responses to, additional information?

3.4 Timeframes for assessment and appeal rights

The proposed DAP framework incorporates both the review of the application by the council (in forming advice) and the DAP (as the decision-maker) and the coordination of hearings into representations to provide representors with the opportunity to address the panel and final determination by a DAP. This, in effect, combines the initial stage of the current process (consideration by the Planning Authority) and a possible subsequent appeals process (currently unconstrained by time). The existing statutory 42 day timeframe for determining discretionary applications is, therefore, not adequate for this process.



13.1.2 Position Paper - Development Assessment Panel Framework (Incl. Draft DAP Framework)

A DAP framework, utilising the Commission to establish the panel, would be subject to the requirements of the *Tasmanian Planning Commission Act 1997*. A panel established by the Commission is required to determine matters following the rules of natural justice and providing for procedural fairness similar to other LUPAA processes that are undertaken by the Commission. This involves hearings where the parties can make submissions and be heard by the decision maker in much the same way as a TasCAT appeal hearing.

The purpose of appealing a planning authority's decision to TasCAT is to provide for an independent review of the process, in a public forum and without political interference. By using the Commission to establish the DAP, the independent review function will be built into the DAP framework. This removes uncertainty, delays and costs associated with determining contested applications through TasCAT.

| Legislation | Type of Assessment | Decision maker | Subject to merit Review | Judicial Review |
|---|--|--|---|-----------------|
| LUPAA | S 58 development application (permitted) | Planning authority | Yes (applicant on permit conditions only) | Yes |
| LUPAA | S 57 development application (discretionary) | Planning authority | Yes | Yes |
| LUPAA | Major Project | TPC | No | Yes |
| LUPAA | Combined planning scheme amendment and permit application | TPC | No | Yes |
| <i>Major Infrastructure Development Approval Act 1999</i> | Linear infrastructure proposals across multiple municipalities | Combined Planning Authority or TPC panel | Yes | Yes |
| <i>State Policies and Projects Act 1993 -</i> | Projects of State Significance | TPC | No | Yes |

Table 2. *Development application processes that are subject to appeal*

Table 2 shows that the only process that allows a TPC decision to be subject to a merit appeal to TasCAT is under the *Major Infrastructure Development Approval Act 1999* (MIDA). An application under MIDA is considered a section 57 application under LUPAA. The application is determined by a panel established by the TPC or a Combined Planning Authority. In determining the application there is no requirement under MIDA for the decision maker to hold a public hearing before making a decision. The appeal rights for



MIDA applications are a consequence of not being guaranteed a public hearing in the initial determination of the application.

Consultation issue 5 – Appeal rights and assessment timeframes for DAP determined applications.

- a) Is it reasonable that decisions on DAP determined applications are not subject to TasCAT appeals where the TPC holds hearings and provides all parties the opportunity to make submissions and test evidence?
- b) Given the integrated nature of the assessment, what are reasonable timeframes for DAP determined applications?

OPTIONS

| | | |
|--|--------|---------------|
| Lodging and referrals, including referral to DAP | 7 days | Running total |
| DAP confirms referral | 7 | 14 |
| Further information period (can occur within the timeframes above, commencing from time of lodgement) | 7 | 21 |
| Council assesses development application and makes recommendation whether or not to grant a permit | 14 | 35 |
| Development application, draft assessment report and recommendation on permit exhibited for consultation | 14 | 49 |
| Council provide documents to DAP, including a statement of its opinion on the merits of representations and whether there are any modifications to its original recommendation | 14 | 63 |
| DAP hold hearing, determine application and give notice to Council of decision | 35 | 98 |
| If directed by the DAP, Council to issue a permit to the applicant | 7 | 105 max |

3.5 Post determination roles of Council

Planning authorities are responsible for enforcing permit conditions and considering any proposed amendments to permits that have been issued by them.

It is necessary to explore how these roles and functions might be impacted by the development application being determined by a DAP.



It is anticipated that the DAP will engage extensively with the planning authority in preparing the permit and conditions of approval. Any legislative framework for a DAP model will be required to establish the post determination functions of the planning authority.

Under both State significant and major project processes, there is a role for the planning authority as the normal compliance body for administering the permit. Consistent with the principle of the DAP framework utilising current parts of the planning system that are operating effectively, it is proposed to parallel the process of TasCAT determinations whereby the planning authority is required to administer the planning permit.

Consultation issue 6 – Roles of the planning authority post DAP determination of a development application.

- a) Should the planning authority remain the custodian of planning permits and be required to issue permits in accordance with a direction from a DAP?
- b) Is it appropriate for planning permits associated with a DAP determined application to be enforced the Council?
- c) Is it appropriate for minor amendments (in accordance with s56 of LUPAA) to DAP determined permits to be made by the planning authority?

4. Draft DAP framework

Based on initial consultation with key stakeholders, commitments made in the Premier's announcement and the identification of issues as discussed above, the following DAP framework has been drafted as a starting point for discussion.

The draft DAP framework is provided in **Attachment I**. The draft framework is cross referenced with the Consultation Issues that have been raised in the text boxes in the body of this Position Paper. Comments are invited on any other matter that the draft DAP framework raises.

5. Next Steps

Following the consultation period on the Position Paper the submissions received will be reviewed and inform modifications to the DAP framework. Based on the revised framework, the Government will prepare a draft amendment to the Act which will be further consulted early next year.

It is proposed that the Bill will be tabled in Parliament in early 2024.



ATTACHMENT I - Draft DAP Framework



13.1.2 Position Paper - Development Assessment Panel Framework (Incl. Draft DAP Framework)

Draft Development Assessment Panel (DAP) Framework

| Ref | Stage of assessment process | Responsible person/ authority | Proposed Framework | Comments and additional Questions for consultation |
|-----|---|--|--|--|
| 1 | Pre-lodgement discussion between applicant and planning authority | Planning Authority and applicant | No change to current process. | Existing informal processes undertaken on an as needs basis. Discussions may include whether or not the development application is eligible for DAP referral. |
| 2 | Lodge Development Application | Applicant lodges with Planning Authority | No change to current process | Existing process for the lodgement of development applications. |
| 3 | Determination of valid application and referral to other entities | Planning Authority | Planning Authority reviews application and determines if the application is valid in accordance with the existing provisions of the Act. Refers application to TasWater, Tasmanian Heritage Council or EPA as required. | Existing process for determining that a development application is valid ² . See section 24 and 25 of this section for information regarding application fees. |

² must comply with 51(IAC) and (IAB) and 51A;

(IAC) For the purpose of subsection (IAB), a valid application is an application that contains all relevant information required by the planning scheme applying to the land that is the subject of the application.

(IAB) A planning authority must not refuse to accept a valid application for a permit, unless the application does not include a declaration that the applicant has-

- a) notified the owner of the intention to make the application; or*
- b) obtained the written permission of the owner under section 52.*

Section 51A refers to the payment of application fee.

13.1.2 Position Paper - Development Assessment Panel Framework (Incl. Draft DAP Framework)

| | | | | |
|----|--|---------------------------|--|---|
| 4A | <p>Planning Authority reviews Development Application and decides if it is to be determined by a DAP.</p> <p>Discretionary referral</p> | <p>Planning Authority</p> | <p>Planning Authority to determine if the Development Application should be referred to a DAP for determination.</p> <p>The Planning Authority may determine that the development application meets the criteria for DAP referral and, if so, notifies, and seeks endorsement from the applicant, to refer the development application to the DAP for determination, within 7 days of the Planning Authority receiving a valid application.</p> <p>The applicant may also make a request to the Planning Authority for it to consider referring the application to a DAP for determination subject to the Planning Authority being satisfied that the application meets the criteria for DAP referral.</p> <p>DAP Criteria An application may be suitable for referring to a DAP if it is a discretionary application and the referral is endorsed by both the Planning Authority and the applicant, provided one or more of the following criteria for DAP referral is satisfied:</p> <ul style="list-style-type: none"> • where the council is the proponent and the planning authority; • the application is for a development over \$10 million in value, or \$5 million in value and proposed in a non-metropolitan municipality; | <p>Refer to Consultation issue 1 in the Position Paper.</p> <p>Additional considerations:</p> <p><i>Is 7 days a reasonable timeframe for this function to be undertaken by the Planning Authority? Could it be delegated to senior planning staff?</i></p> <p><i>Where a dispute arises between the Applicant and the Planning Authority over a development application being referred to a DAP for determination, is it appropriate for the Minister to have a role in resolving, subject to being satisfied that the development application meets the DAP criteria?</i></p> <p><i>If not the Minister, who should be responsible for resolving the matter?</i></p> <p><i>Is it appropriate to consider the value of a development as a criteria for referral to a DAP for determination? If so, what should the stated value be?</i></p> <p>Note: See sections 21 and 22 of this table which provides options for development applications to be referred at later stages of the assessment process as issues become apparent, such as after exhibition.</p> |
|----|--|---------------------------|--|---|

13.1.2 Position Paper - Development Assessment Panel Framework (Incl. Draft DAP Framework)

| | | | | |
|----|---|--|--|---|
| | | | <ul style="list-style-type: none"> the application is of a complex nature and council supports the application being determined by a DAP; the application is potentially contentious, where Councillors may wish to act politically, representing the views of their constituents, rather than as a planning authority; or Where there is a case of bias, or perceived bias, established on the part of the Planning Authority. | |
| 4B | <p>Planning Authority reviews Development Application and decides if it is to be referred to DAP</p> <p>Mandatory Referral</p> | | <p>The Planning Authority must determine to refer the development application to a DAP for determination, within 7 days of the Planning Authority receiving a valid application, if the development application is a discretionary application and for a prescribed purpose:</p> <p>Prescribed purpose:</p> <ul style="list-style-type: none"> An application over \$1 million where the council is the proponent and the planning authority; An application from Homes Tas for subdivision for social or affordable housing or development of dwellings for social and affordable; An application for critical infrastructure; Other(?) | <p>Refer to Consultation issue 1 in the Position Paper.</p> <p>Additional considerations:</p> <p><i>Is 7 days a reasonable timeframe for this function to be undertaken by the Planning Authority? Could it be delegated to senior planning staff?</i></p> <p><i>Are there any other examples of development applications under the prescribed purposes that might be suitable for referral to a DAP for determination?</i></p> <p><i>Is it appropriate to consider the value of a development for DAP referral where council is the applicant? If so, what value is reasonable?</i></p> <p><i>What might be considered as 'critical infrastructure'?</i></p> |

13.1.2 Position Paper - Development Assessment Panel Framework (Incl. Draft DAP Framework)

| | | | | |
|---|---|----------------------------|---|---|
| 5 | PA requests referral of DA to DAP for determination. | Planning Authority and DAP | <p>Planning Authority requests referral of the development application to the DAP within 7 days of the Planning Authority determining that the development application is suitable for DAP referral in accordance with section 4A and 4B above.</p> <p>The Planning Authority's written referral request includes all the material that comprises the development application (at this stage).</p> <p>If the DAP does not agree that the development application meets the DAP criteria or is for a prescribed purpose, the DAP must give notice to the Planning Authority and applicant of its decision.</p> <p>If the DAP does not agree that the development application meets the DAP criteria, the assessment of the development application continues in accordance with the existing LUPAA provisions.</p> <p>If the DAP accepts the Planning Authority's request that the development application meets the criteria for DAP referral or is for a prescribed purpose, the DAP must give notice, within 7 days of receiving the Planning Authority's request, to the Planning Authority and applicant of its decision.</p> | <p><i>Should the time taken for an application that has been referred to a DAP for determination that, in the opinion of the DAP, does not satisfy the relevant referral criteria or is not for a prescribed purpose, count towards the relevant period referred to in s57(6)(b) of the Act given the assessment will continue in accordance with a s57 application if it is not eligible for DAP referral?</i></p> |
| 6 | Review of DA to determine if further information is required to | Planning Authority | <p>Where the DAP has accepted the Planning Authority's request to refer the development application to the DAP for determination, the Planning Authority reviews the development application to determine if additional information is</p> | <p>Additional information request can occur simultaneously with the Planning Authority's request for DAP determination. Regardless of the outcome of the request to refer the development application to the DAP, the Planning Authority is required to ensure it has the</p> |

13.1.2 Position Paper - Development Assessment Panel Framework (Incl. Draft DAP Framework)

| | | | | |
|---|---|----------------------------------|---|---|
| | undertake the assessment | | <p>required and, if so, must make a request within 21 days of receiving a valid application.</p> <p>Clock stops while waiting for the applicant to provide additional information to the satisfaction of the Planning Authority.</p> | <p>necessary information it needs to undertake the assessment.</p> <p>The 21 day timeframe and 'stopping the clock' is consistent with section 54 of the Act.</p> |
| 7 | Review of further information requests | Applicant | <p>Within 14 days after being served a request for further information in accordance with 6 above, the applicant may request the DAP to review the Planning Authority's additional information request.</p> <p>The DAP, within 14 days of receiving a request to review the PA's additional information requirement must:</p> <ul style="list-style-type: none"> • Support the Planning Authority's request for additional information; • Revoke the Planning Authority's request for additional information; or • Issue a new notice to the applicant requesting additional information. <p>The DAP must give notice of its decision to the Planning Authority and applicant.</p> | <p>Refer to Consultation issue 4 in the Position Paper.</p> <p>Because the DAP has agreed that the DA will be DAP determined, it already has a copy of the development application.</p> <p>The review of a Planning Authority's request for additional information is similar to the existing provisions under s40V of the Act.</p> |
| 8 | Provision and review of additional information. | Applicant and Planning Authority | <p>Once the applicant provides the additional information and, in the opinion of the planning authority, it satisfies either the original request or one that has been modified by the DAP, the assessment clock recommences.</p> <p>If the additional information does not satisfy the original request or one that has been modified by</p> | <p>This part of the framework is similar to existing processes.</p> |

13.1.2 Position Paper - Development Assessment Panel Framework (Incl. Draft DAP Framework)

| | | | | |
|----|---|--------------------|--|--|
| | | | the DAP, the Planning Authority advises the applicant of the outstanding matters and the clock remains stopped. | |
| 9 | Planning Authority assesses DA | Planning Authority | <p>Planning Authority assesses the application against the requirements of the planning scheme and recommends either:</p> <ul style="list-style-type: none"> • granting a permit; or • refusing to grant a permit. | <p>Refer to Consultation Issue 3 in the Position Paper.</p> <p>Note: The proposed framework has adopted a process that is similar to the section 40T of the Act process where council assesses the application and then places the application and the Planning Authority's report on exhibition (as below).</p> |
| 10 | Public notification of application and Planning Authority recommendations | Planning Authority | <p>Planning Authority to advertise the development application, its assessment report and recommendations, including a draft permit (if recommended for approval), for a period of 14 days (and in accordance with section 9 of the LUPAA Regulations) during which time representations are received.</p> | |
| 11 | Planning Authority to review representations | Planning Authority | <p>Planning Authority to review representations and prepare a statement of its opinion as to the merits of each representation and the need for any modification to its recommendation on the development application, including the draft permit and conditions.</p> | <p>This part of the proposed framework is similar to the existing provisions of section 42 of the Act.</p> |
| 12 | Provision of all documents to the DAP | Planning Authority | <p>The Planning Authority provides DAP with:</p> <ul style="list-style-type: none"> • a copy of the application (although they should already have it) and any further information received; • a copy of the recommendation report and any draft permit; | <p>This part of the proposed framework is similar to existing processes for a section 40T(1) application</p> |

13.1.2 Position Paper - Development Assessment Panel Framework (Incl. Draft DAP Framework)

| | | | | |
|----|---|-----|---|--|
| | | | <ul style="list-style-type: none"> • a copy of all the representations; and • a statement of its opinion as to the merits of each representation and any modifications to its original recommendations on the DA as a consequence of reviewing the representations; • DAP fee (refer to section 25) <p>within 14 days of the completion of the exhibition period.</p> | |
| 13 | DAP review and publication of information and hearing determination | DAP | <p>DAP reviews and publishes all the information provided by the Planning Authority (as listed in 12 above) and notifies all parties advising that they have received the relevant documents from the Planning Authority, where those documents can be viewed and requesting advice regarding which parties would like to attend a hearing.</p> <p>If there are no representations or no parties that wish to attend a hearing, the DAP may dispense with the requirement to hold a hearing.</p> <p>The DAP must notify the Planning Authority, applicant and representors of their determination to hold, or dispense with holding, a hearing.</p> | An option is given to dispense with the requirement for a DAP to hold a hearing in situation where there are no representations, all representations are in support, representations have been revoked or there are no representations that want to attend a hearing. |
| 14 | DAP hearing into representations | DAP | <p>Representors, applicant and Planning Authority invited to attend hearing and make submissions to the DAP on the development application.</p> <p>Parties to the proceedings must be given at least one weeks' notice before the hearing is scheduled.</p> | The draft permit conditions are subject to contemplation by the parties at the hearing. It is anticipated that this will resolve issues around the future enforcement of those conditions by council or other issues that would otherwise arise and be subject to appeal through TasCAT. |

13.1.2 Position Paper - Development Assessment Panel Framework (Incl. Draft DAP Framework)

| | | | | |
|----|------------------------------|----------------------------|---|---|
| | | | <p>Natural justice and procedural fairness for conduct of hearings consistent with <i>Tasmanian Planning Commission Act 1997</i>.</p> <p>DAP hearings are encouraged to be held locally.</p> | |
| 15 | DAP determination | DAP | <p>DAP undertakes the assessment considering all the information and evidence presented at the hearing and determines the development application.</p> <p>DAP must determine application within 35 days from receiving documents from Planning Authority (under section 12 above)</p> <p>DAP may request an extension of time from the Minister.</p> | Refer to Consultation Issue 5 in the Position Paper for questions regarding assessment timeframes. |
| 16 | Notification of DAP decision | DAP | <p>Within 7 days of the DAP determining the development application it must give notice of its decision to the Planning Authority, applicant and representors.</p> | Similar to existing notification provisions under section 57(7). |
| 17 | Issuing of Permit | DAP/ Planning Authority | <p>If the decision of the DAP is to grant a permit, the DAP must, in its notice to the Planning Authority (under section 16 above), direct it to issue a permit in accordance with its decision within 7 days from receiving the notice from the DAP.</p> <p>The permit becomes effective 1 week from the day it is issued by the Planning Authority.</p> | |
| 18 | Enforcement | Planning Authority | <p>The Planning Authority is responsible for enforcing the permit.</p> | Refer to Consultation Issue 6 in the Position Paper. This is the same process for permits issued by TasCAT. |

13.1.2 Position Paper - Development Assessment Panel Framework (Incl. Draft DAP Framework)

| | | | | |
|----|----------------------------|--------------------|---|---|
| 19 | Appeal rights | All parties | There is no right of appeal on the grounds of planning merit as the decision has been made by an independent panel with all parties engaged in the process. | Refer to Consultation Issue 5 in the Position Paper for questions regarding appeal rights. While the draft framework proposes that DAP determined development applications are not subject to a merit appeal, the decision of the DAP is subject to judicial review by virtue of the <i>Judicial Review Act 1997</i> . |
| 20 | Minor amendment to permits | Planning Authority | A Planning Authority can receive a request for a minor amendment to a permit involving an application that has been determined by a DAP. | Refer to Consultation Issue 6 in the Position Paper. Minor amendments to permits are assessed by the Planning Authority against the existing provisions of section 56 of the Act. |

Other opportunities for a development application to be referred to a DAP

| Ref | Stage of assessment process | Responsible person/ authority | Proposed Framework | Comment |
|-----|-----------------------------------|---------------------------------|---|---|
| 21 | Ministerial Call in Powers | Planning Authority or applicant | At any stage of the assessment process the applicant or Planning Authority may make a request to the Minister that a development application be referred to a DAP for determination. The Minister may refer the application to a DAP provided the Minister is satisfied that the development application meets the DAP criteria. | This provides an opportunity for referral when issues only become apparent at the later stages of the assessment process. <i>Is it appropriate for the Minister to have the power to call in a development application in these circumstances?</i> <i>In this scenario, is it necessary for the applicant and Planning Authority to agree to the request?</i> |
| 22 | Ministerial referral of DA to DAP | Minister | Where the Minister refers the DA to a DAP for determination (in accordance with 21 above), the Minister must, by notice to the DAP and Planning Authority (if required), direct the DAP and Planning Authority (if required) to | Because this type of referral can occur at any stage, there needs to be a direction to specify those parts of the assessment process that still needs to be completed. These processes will include elements that need to be undertaken by the DAP and may include |

13.1.2 Position Paper - Development Assessment Panel Framework (Incl. Draft DAP Framework)

| | | | | |
|--|--|--|---|---|
| | | | undertake an assessment of the development application and specify the process and timeframes for the DAP and Planning Authority (if required) to follow. The Minister can also specify that the Planning Authority must provide all relevant documents relating to the application and its assessment to the DAP within a timeframe. | elements that need to be undertaken by the Planning Authority. The Planning Authority is required to provide all relevant documents to the DAP |
|--|--|--|---|---|

DAP membership

| Ref | Stage of assessment process | Responsible person/ authority | Proposed Framework | Comment |
|-----|-----------------------------|--|---|---|
| 23 | Establishment of Panel | Tasmanian Planning Commission (Commission) | No change to existing Commission processes. | The framework adopts the Commission's well established processes for delegating assessment functions to panels. |

Development application fees

| Ref | Stage of assessment process | Responsible person/ authority | Proposed Framework | Comment |
|-----|---------------------------------------|-------------------------------|---|--|
| 24 | Lodging DA | Planning Authority | Planning Authority charges applicant normal application fees. | Planning Authority doing the same amount of work, just not making the determination so is entitled to the application fee. |
| 25 | DAs referred to DAP for determination | Planning Authority and DAP | A DAP determined development application will incur an additional application fee. The Planning Authority is to charge the applicant an additional fee at the time the DAP | Additional fee is to cover some of the costs incurred by the Commission. |

13.1.2 Position Paper - Development Assessment Panel Framework (Incl. Draft DAP Framework)

| | | | | |
|--|--|--|--|---|
| | | | <p>notifies the Planning Authority that they have accepted the Planning Authority's request to refer the development application.</p> <p>The DAP application fee is to be included in the information provided to the DAP following the exhibition of the development application (section 12 above).</p> <p>No order for costs can be awarded by the DAP.</p> | <p>The additional application fee is going to be cheaper than the cost of going to a full tribunal hearing.</p> |
|--|--|--|--|---|



Tasmanian
Government

Department of Premier and Cabinet
State Planning Office

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Corporate Services

Council Audit Panel Minutes of Meeting

Report Author Justin Marshall
Acting Director Corporate Services

Authorised by Jonathan Harmey
General Manager

Decision Sought Council receive the minutes of the September Audit Panel meeting.

Vote Simple majority

Recommendation to Council

That Council receives the minutes of the Audit Panel meeting, held on 26 September 2023, in Attachment 1.

Report

The purpose of this report is for Council to receive the minutes of the Council Audit Panel meeting held on 26 September 2023.

The minutes of the meeting have been reviewed and confirmed by the Council Audit Panel Chair Andrew Gray. The minutes are provided for Council's information, as required under the Audit Panel Charter.

Attachments 1. Audit Panel Minutes: 26 September 2023 [14.1.1 - 6 pages]

Strategy Supports the objectives of Council's strategic future direction 5: innovative leadership and community governance.

See Meander Valley Community Strategic Plan 2014-24. [Click here](#) or visit www.meander.tas.gov.au/plans-and-strategies to view.

Policy The recommendation fulfils the requirements outlined in Council's Audit Panel Charter confirmed at the July 2022 Council Meeting.

Legislation *Local Government Act 1993*: s85, 85A and 85B.

Local Government (Audit Panels) Orders.


Consultation Not applicable

Budget & Finance Not applicable

Risk Management Not applicable

**Alternative
Motions** Not applicable

14.1.1 Audit Panel Minutes: 26 September 2023

| | |
|---|--|
|  Meander Valley Council | Audit Panel Minutes |
| Meeting Time & Date: 9:00am, 26 September 2023 | Venue: Meander Valley Council – Council Chambers |
| Present: | |
| Chairman Andrew Gray | Councillor Kevin House |
| Mr Ken Clarke | Councillor Ben Dudman |
| In Attendance: | |
| Dino De Paoli, Director Infrastructure Services | Wezley Francombe, Manager Governance and Performance |
| Krista Palfreyman, Director Development & Regulatory Services | Stephen Morrison - Tasmanian Audit Office |
| Justin Marshall, Acting Director Corporate Services | Susan Ellston, Finance Officer |
| Apologies: | |
| Matthew Millwood, Director Works | Jon Harmey, General Manager |

ORDER OF BUSINESS

13. Consider any available audit reports

The unaudited 2022-23 Financial Statements were tabled.

Stephen Morrison from the Tasmanian Audit Office (TAO) joined via Zoom meeting at 09:00 am. Stephen advised they are not too far away from concluding the Audit.

Comment was noted around the provisions for after-care and whether Council is comfortable with the figure. Council noted that it is reasonably comfortable with the figure. Initial rehabilitation plans for Cluan are not yet finalised, some costs could be quite significant and there are some risks with unknown costs yet to be set.

The financial audit will aim to be completed by the end of September 2023.

There were no questions from the Audit Panel and the TAO left the meeting at 09:20 am.

Report was received and Noted.

| ITEM |
|--|
| 1. Declaration of Pecuniary Interests/conflict of interest Nil. |
| 2. Adoption of Previous Minutes It was resolved that the minutes of the meetings held on 27 June 2023 be received and confirmed. |

3. Outstanding from previous meeting - Action Sheet

3.1 - Policy No. 81 – Online Communication (social media Councillors) - a complete re-write of this policy has been done. No action by Governance, to be progressed December 2023 quarter.

Received and noted.

3.2 - Policy No. 37 – Vegetation Management - deferred to consider relevance of policy. Likely current policy will be replaced with either a new policy focused on risk management of trees in public areas, or procedural responses as part of asset management work practice. No action by Governance, to be progressed December 2023 quarter.

Received and noted.

3.3 - Review Policies and Procedures - The External Audit JLT Waste Transfer Station (WTS) Management Report was submitted to the Audit Panel meeting.

A Consultant, The Safety Process (TSP), have been engaged to review safety systems and processes implemented by contractor JustWaste. Council officers held an initial meeting with TSP on 8 September 2023. Inspections at Cluan & Deloraine sites scheduled for 21 & 22 September 2023. Mole Creek tbc.

Contractor will be participating in the inspections and assessment process. Copy of JLT audit info has been provided to TSP for background.

A report from the new Contractor is due soon and will be presented at the December 2023 meeting.

Received and noted.

3.4 Review of Annual Budget and report to Council – Council’s annual budget estimates and Long-Term Financial Plan summary were approved by Council on 27 June 2023:

Received and noted.

3.5 - Policy No. 71 – Investment of Surplus Council Funds was presented and discussed by the Audit Panel. The Policy is in place until March 2024.

Council seems to be getting a good return overall with AAA and BBB accounts. The maximum lock in period is 12 months which seems to roll quite nicely on maturity per month for cash flow purposes.

An updated version will be presented at December 2023 meeting.

Received and noted.

| |
|---|
| <p>3.6 Report to Council regarding execution of duties and responsibilities by the Audit Panel – The Audit Panel annual report for 2023 was received, and annual work plan for 2024 was approved by Council on 11 July 2023.</p> <p>Received and noted.</p> |
| <p>Governance and Strategy</p> |
| <p>4. Review Annual Plan Council’s 2023-24 annual plan was adopted by Council on 8 August 2023 and presented to the Audit Panel for comment.</p> <p>Received and Noted.</p> |
| <p>5. Review Long-Term Strategic Asset Management Plan The Long-Term Strategic Asset Management plan was adopted in February 2020, the next review date is February 2024.</p> <p>Target for presentation to December Audit Panel Meeting then February 2024 Council Workshop. Approval at March 2024 Council meeting.</p> <p>Information Received and Noted.</p> |
| <p>6. Review Asset Management Strategy Council’s Asset Management Strategy is incorporated into the Strategic Asset Management Plan (SAMP)</p> <p>Information Received and Noted.</p> |
| <p>7. Review Asset Management Policy Council’s Asset Management Policy No.60 is scheduled for review in February 2024.</p> <p>Information Received and Noted.</p> |
| <p>8. Asset Capitalisation and project closeout report for TAO Asset Capitalisation & Project Closeout Report 2022-23 Financial Year is to be distributed to the Audit Panel for comment.</p> <p>Carry forward to December 2023 meeting.</p> <p>Received & Noted.</p> |
| <p>9. Review policies and procedures</p> <p>Policy No. 86 – Industrial Development Incentive No action by Governance, to be progressed December 2023 quarter.</p> <p>Noted.</p> |

| |
|---|
| <p>10. Assessment of governance and operating processes integration with financial management practices of the Council Carry forward to December 2024 meeting.</p> <p>Noted.</p> |
| <p>Financial and Management Reporting</p> |
| <p>11. Review most current results and report any relevant findings to Council A preliminary 30 June 2023 financial report (pre audit) was provided to Council on 11 July 2023.</p> <p>It was noted there was a high number of Term Deposits, this was due to a large influx of cash recently.</p> <p>It was noted that the after-care provision note has changed, Council now has a process looking at the project. A long-term draft waste strategy is in place ready to be rolled out for Councillor and General Manager for comment.</p> <p>Received and Noted.</p> |
| <p>12. Review any business unit or special financial reports Nothing to report.</p> |
| <p>13. Review annual financial report, audit report and management representation letter (for advice to GM) and make recommendation to Council including meeting with Tasmania Audit representative. The unaudited 2022-23 Financial Statements were presented. The statements are currently in the process of being audited by the Tasmanian Audit Office.</p> <p>Received and Noted.</p> |
| <p>Internal Audit</p> |
| <p>14. Consider any available audit reports No internal audit reports to provide.</p> <p>ICT Governance internal audit proposals were not accepted by the former General Manager or Work Health & Safety Officer. A new Work Health & Safety Officer has been appointed, commencing the week starting 16 October.</p> <p>EMT recently met to review the strategic risk register, marked up changes from that session and a copy was presented to the Audit Panel for Comment.</p> <p>Audit corrective actions from Major Project Controls/Variations (Synetic audit) – There are 7 actions required including review of Code of Tenders and Contracts. Director of Infrastructure provided an update.</p> <p>Information Received and Noted.</p> |

| |
|--|
| <p>15. Review management’s implementation of audit recommendations</p> <p>The Outstanding Corrective Actions Register was presented for comment, continuous improvements have been made with the register however no progress due to the lack of resources. The new Work health & Safety officer will pick up when they commence.</p> <p>Received and Noted.</p> |
| <p>External Audit</p> |
| <p>16. Consider any available audit reports</p> <p>The Tasmanian Audit Office Council’s first claim for Natural Disaster Relief funding for the October 2022 floods and Audit Report was presented for comment. It was noted that an unmodified Audit Report was received.</p> <p>Reports Received and Noted.</p> |
| <p>17. Consider any performance audit reports that will be undertaken by the Tasmanian Audit Office and address implications for the Council</p> <p>The Tasmanian Audit Office <i>Amendments to the Private Works Undertaken by Councils</i> audit plan was presented. Very little Private Works has been completed by Council.</p> <p>Report Received and Noted.</p> |
| <p>Risk Management and Compliance</p> |
| <p>18. Monitor ethical standards and any related transactions to determine the systems of control are adequate and review how ethical and lawful behaviour and culture is promoted within the Council</p> <p>No reported issues to note. Council’s culture action plan project could include aspects for ethical and lawful behaviour.</p> <p>Information Received & Noted.</p> |
| <p>19. Review processes to manage insurable risks and existing insurance cover</p> <p>Additional insurance requirements were considered when implementing insurance policy renewals to be in place 1 July 2023. All other existing policies were renewed and in place for 1 July 2023.</p> <p>Received and Noted.</p> |
| <p>20. Monitor any major claims or lawsuits by or against the Council and complaints against the Council</p> <p>Nil to Report.</p> |
| <p>21. Oversee the investigation of any instances of suspected cases of fraud or other illegal and unethical behaviour</p> <p>Nil to Report.</p> |

14.1.1 Audit Panel Minutes: 26 September 2023

| | |
|--|---|
| Other Business | |
| 22. | Ken Clarke questioned when the Community Strategic Plan will be updated. Resourcing is an issue as there has only been three employees to fill this space. Noted. |
| Meeting close This meeting closed at 10:18 am | |
| In-camera discussion | |
| 23. | The independent members of the Audit Panel held an in-camera session with Councillor members to understand Council's recruitment and appointment process for the recently filled General Manager position. The independent members were satisfied with the explanations, background and context provided. |
| Next Meeting The next meeting to be held on Tuesday 19 December 2023 at 10.00 am | |

Corporate Services

2022-23 Financial Statements and Independent Auditor's Report

Report Author Justin Marshall
Acting Director Corporate Services

Authorised by Jonathan Harmey
General Manager

Decision Sought Council receives the certified 2022-23 Financial Statements and associated Delegate of the Auditor-General's independent audit report.

Vote Simple majority

Recommendation to Council

That Council receives the certified 2022-23 Financial Statements and associated Delegate of the Auditor-General's independent audit report.

Report

Council's Financial Statements for the year ended 30 June 2023 were prepared and submitted to the Tasmanian Audit Office on 14 August 2023.

A copy of the Tasmanian Audit Office's report and opinion is attached along with the following statements:

- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity; and
- Statement of Cash Flows.

These are the major statements from the Financial Statements that will appear in Council's Annual Report for presentation at the Annual General Meeting in December 2023.

The Tasmanian Audit Office has found that Council's financial report presents fairly in accordance with the *Local Government Act 1993* and Australian Accounting Standards.

The operating activities for the 2023 financial year resulted in a net profit of \$3,251,929 however after removing capital, non-recurrent items and the prepaid Financial Assistance Grant for 2024, there was an underlying deficit of \$1,215,223. The financial performance was significantly impacted by the flood event in October 2022, with approximately \$2.7m of expenditure on flood remediation costs during the 2023 financial year.

A full overview of Council's financial performance will be provided in the 2022-23 Annual Report.

- Attachments**
1. Independent Auditors Report (Opinion) - 30 June 2023 [14.2.1 - 4 pages]
 2. 2022-23 Financial Statements [14.2.2 - 4 pages]

Strategy Supports the objectives of Council's strategic future direction 5: innovative leadership and community governance.

See Meander Valley Community Strategic Plan 2014-24. [Click here](#) or visit www.meander.tas.gov.au/plans-and-strategies to view.

Policy Not applicable

Legislation *Local Government Act 1993*: s84.

Consultation Council's Annual General Meeting provides the opportunity for community comment on the Annual Report and Financial Statements.

Budget & Finance Not applicable

Risk Management Not applicable

Alternative Motions Not applicable



Independent Auditor's Report
To the Councillors of Meander Valley Council
Meander Valley Council
Report on the Audit of the Financial Report

Opinion

I have audited the financial report of Meander Valley Council (Council), which comprises the statement of financial position as at 30 June 2023 and statements of comprehensive income, changes in equity and cash flows for the year then ended, notes to the financial statements, including a summary of significant accounting policies, other explanatory notes and the statement of certification signed by the General Manager.

In my opinion, the accompanying financial report:

- (a) presents fairly, in all material respects, Council's financial position as at 30 June 2023 and its financial performance and its cash flows for the year then ended
- (b) is in accordance with the *Local Government Act 1993* and Australian Accounting Standards.

Basis for Opinion

I conducted the audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report. I am independent of Council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to my audit of the financial report in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code.

The *Audit Act 2008* further promotes the independence of the Auditor-General. The Auditor-General is the auditor of all Tasmanian public sector entities and can only be removed by Parliament. The Auditor-General may conduct an audit in any way considered appropriate and is not subject to direction by any person about the way in which audit powers are to be exercised. The Auditor-General has for the purposes of conducting an audit, access to all documents and property and can report to Parliament matters which in the Auditor-General's opinion are significant.

My audit responsibility does not extend to the budget figures included in the financial report, nor the asset renewal funding ratio disclosed in note 43(f) to the financial report and accordingly, I express no opinion on them. Furthermore, I express no opinion on the General Manager's determination that Council did not have any Significant Business Activities for

14.2.1 Independent Auditors Report (Opinion) - 30 June 2023

inclusion in the financial report as required by Section 84(2)(da) of the *Local Government Act 1993*.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Key Audit Matters

Key audit matters are those matters that, in my professional judgement, were of most significance in my audit of the financial report of the current period. These matters were addressed in the context of my audit of the financial report as a whole, and in forming my opinion thereon, and I do not provide a separate opinion on these matters.

| Why this matter is considered to be one of the most significant matters in the audit | Audit procedures to address the matter included |
|---|---|
| <p>Valuation of Property and infrastructure assets <i>Refer to notes 21 to 32 and 44</i></p> | |
| <p>At 30 June 2023, Council's assets included land, land under roads, buildings, and infrastructure assets, such as roads and streets, bridges and stormwaters assets valued at fair value totalling \$247.41 million. The fair values of these assets are based on market values and current replacement cost.</p> <p>Council undertakes formal revaluations on a regular basis to ensure valuations represent fair value. In between valuations Council considers the application of indexation to ensure that carrying values reflect fair values.</p> <p>During the year, Council undertook a revaluation of land, buildings and stormwater assets. The fair value of buildings assets was determined by external experts and stormwater assets was determined by internal experts. Indexation was applied to roads and bridges.</p> <p>The calculation of fair values is judgemental and highly dependent upon a range of assumptions and estimates.</p> | <ul style="list-style-type: none"> • Assessing the scope, expertise and independence of experts engaged to assist in the valuations. • Evaluating the appropriateness of the valuation methodologies applied to determine the fair values. • Evaluating management's oversight of valuation processes and assessment of results. • Critically assessing assumptions and other key inputs in the valuation models. • Testing, on a sample basis, the mathematical accuracy of valuation model calculations. • Reviewing the accuracy of recording independent values in Council's asset register and general ledger. • Evaluating indexation applied to assets between formal valuations. • Evaluating the adequacy of disclosures made in the financial report, including those regarding key assumptions used. |

Responsibilities of the General Manager for the Financial Report

The General Manager is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the *Local Government Act*

1993 and for such internal control as determined necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the General Manager is responsible for assessing Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless Council is to be dissolved by an Act of Parliament or the Councillors intend to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Report

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Council's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the General Manager.
- Conclude on the appropriateness of the General Manager's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on Council's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusion is based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause Council to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represent the underlying transactions and events in a manner that achieves fair presentation.

14.2.1 Independent Auditors Report (Opinion) - 30 June 2023

I communicate with the General Manager regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

From the matters communicated with the General Manager, I determine those matters that were of most significance in the audit of the financial report of the current period and are therefore the key audit matters. I describe these matters in my auditor's report unless law or regulation precludes public disclosure about the matter or when, in extremely rare circumstances, I determine that a matter should not be communicated in my report because the adverse consequences of doing so would reasonably be expected to outweigh the public interest benefits of such communication.



Stephen Morrison
Assistant Auditor-General
Delegate of the Auditor-General
Tasmanian Audit Office

28 September 2023
Hobart

Statement of Comprehensive Income

For the Year Ended 30 June 2023

| | Note | Budget 2023 \$ | Actual 2023 \$ | Actual 2022 \$ |
|---|------|----------------------|----------------------|----------------------|
| INCOME FROM CONTINUING OPERATIONS | | | | |
| Recurrent Income | | | | |
| Rates and Charges | | 15,750,400 | 15,932,599 | 14,654,722 |
| Interest | 3 | 595,700 | 1,136,810 | 525,510 |
| Reimbursements and Contributions Monetary Assets | | 331,400 | 532,474 | 419,099 |
| User Fees and Charges | | 1,482,600 | 1,568,726 | 1,550,523 |
| Operational Grants | 4 | 4,894,600 | 7,057,597 | 6,261,821 |
| Investment Revenue from Water Corporation | | 667,200 | 667,200 | 667,200 |
| | | <u>23,721,900</u> | <u>26,895,406</u> | <u>24,078,875</u> |
| Capital & Non-Recurrent Income | | | | |
| Capital Grants | 4 | 8,426,000 | 2,134,213 | 1,899,667 |
| Subdivision Assets Taken Over | | 645,000 | 2,809,200 | 1,884,809 |
| Contributions Monetary Assets | | - | 12,850 | 100,909 |
| Non-Recurrent Profit/(Loss) on Disposal of Assets | 10 | - | 51,142 | - |
| | | <u>9,071,000</u> | <u>5,007,405</u> | <u>3,885,385</u> |
| TOTAL INCOME FROM CONTINUING OPERATIONS | | <u>32,792,900</u> | <u>31,902,811</u> | <u>27,964,260</u> |
| EXPENSES FROM CONTINUING OPERATIONS | | | | |
| Recurrent Expenditure | | | | |
| Employee Costs | 5 | 8,810,430 | 8,437,621 | 7,701,886 |
| Materials and Contracts | 6 | 9,698,280 | 11,476,606 | 8,618,824 |
| Depreciation and Amortisation | 7 | 5,918,500 | 5,856,458 | 5,624,060 |
| Finance Costs | 8 | 251,700 | 262,953 | 248,078 |
| Other Expenses | 9 | 141,500 | 137,981 | 121,959 |
| Recurrent (Profit)/Loss on Disposal of Assets | 10 | 108,800 | 56,756 | 29,932 |
| | | <u>24,929,210</u> | <u>26,228,375</u> | <u>22,344,739</u> |
| Capital & Non-Recurrent Expenditure | | | | |
| Recognition of Tip Site Aftercare Provision | 34 | - | 2,422,507 | - |
| | | <u>-</u> | <u>2,422,507</u> | <u>-</u> |
| TOTAL EXPENSES FROM CONTINUING OPERATIONS | | <u>24,929,210</u> | <u>28,650,882</u> | <u>22,344,739</u> |
| OPERATING RESULT FROM CONTINUING OPERATIONS | 2(a) | <u>7,863,690</u> | <u>3,251,929</u> | <u>5,619,521</u> |
| OPERATING RESULT FROM DISCONTINUED OPERATIONS | | <u>-</u> | <u>-</u> | <u>-</u> |
| NET OPERATING RESULT FOR THE YEAR | | <u>7,863,690</u> | <u>3,251,929</u> | <u>5,619,521</u> |
| OTHER COMPREHENSIVE INCOME | | | | |
| Items that will not be reclassified subsequently to net result | | | | |
| Fair value adjustments on equity investment assets | 18 | - | 1,545,392 | 1,314,232 |
| Net asset revaluation increment/(decrement) | 35 | - | 18,692,389 | (13,123,849) |
| TOTAL OTHER COMPREHENSIVE INCOME | | <u>-</u> | <u>20,237,781</u> | <u>(11,809,617)</u> |
| TOTAL COMPREHENSIVE RESULT | | <u>7,863,690</u> | <u>23,489,710</u> | <u>(6,190,096)</u> |

The above Statement of Comprehensive Income should be read in conjunction with the accompanying notes

Statement of Financial Position

As at 30 June 2023

| | Note | Actual 2023 \$ | Actual 2022 \$ |
|--------------------------------------|------|----------------------|----------------------|
| CURRENT ASSETS | | | |
| Cash and Cash Equivalents | 11 | 2,450,689 | 598,646 |
| Trade and Other Receivables | 12 | 1,496,474 | 5,802,615 |
| Investments | 13 | 26,081,732 | 23,724,396 |
| Other | 14 | 551,454 | 199,089 |
| Total Current Assets | 2(b) | 30,580,349 | 30,324,746 |
| NON-CURRENT ASSETS | | | |
| Investment in Water Corporation | 18 | 48,882,749 | 47,337,357 |
| Loans and Other Receivables | 19 | - | 162,000 |
| Work in Progress | 20 | 1,888,713 | 1,172,249 |
| Land | 21 | 12,634,325 | 13,385,905 |
| Land Under Roads | 22 | 29,222,665 | 29,106,910 |
| Land Improvements | 23 | 10,043,600 | 9,793,652 |
| Buildings | 24 | 27,414,062 | 23,728,233 |
| Roads and Streets | 25 | 123,689,297 | 109,476,214 |
| Bridges | 26 | 32,843,684 | 28,475,859 |
| Stormwater | 27 | 21,605,205 | 22,052,629 |
| Plant and Equipment | 28 | 3,027,203 | 3,374,165 |
| Heritage | 29 | 18,641 | 18,922 |
| Computer Software | 30 | 142,300 | 106,548 |
| Valuations | 31 | 68,069 | 102,150 |
| Total Non-Current Assets | 2(b) | 311,480,513 | 288,292,793 |
| TOTAL ASSETS | | 342,060,862 | 318,617,539 |
| CURRENT LIABILITIES | | | |
| Trade and Other Payables | 15 | 1,687,790 | 1,808,345 |
| Provisions | 16 | 1,464,797 | 1,465,878 |
| Contract Liabilities | 17 | 2,100,847 | 1,322,107 |
| Borrowings | 33 | - | 3,600,000 |
| Total Current Liabilities | | 5,253,434 | 8,196,330 |
| NON-CURRENT LIABILITIES | | | |
| Provisions | 34 | 9,207,654 | 6,311,145 |
| Total Non-Current Liabilities | | 9,207,654 | 6,311,145 |
| TOTAL LIABILITIES | | 14,461,088 | 14,507,475 |
| NET ASSETS | | 327,599,774 | 304,110,064 |
| EQUITY | | | |
| Accumulated Surplus | | 227,536,760 | 224,284,831 |
| Reserves | 35 | 100,063,014 | 79,825,233 |
| TOTAL EQUITY | | 327,599,774 | 304,110,064 |

The above Statement of Financial Position should be read in conjunction with the accompanying notes



Statement of Changes in Equity

For the Year Ended 30 June 2023

| 2023 | Note | Total | Accumulated | Asset | Fair Value |
|--|------|--------------------|--------------------|----------------------|--------------------|
| | | 2023 | Surplus | Revaluation Reserves | Reserve |
| | | \$ | \$ | \$ | \$ |
| Balance at beginning of the financial year | | 304,110,064 | 224,284,831 | 84,174,952 | (4,349,719) |
| Net Operating Result for the Year | | 3,251,929 | 3,251,929 | - | - |
| Other Comprehensive Income: | | | | | |
| Fair Value adjustment to Investment in Water Corp. | 18 | 1,545,392 | - | - | 1,545,392 |
| Net asset revaluation increment/(decrement) | 35 | 18,692,389 | - | 18,692,389 | - |
| Balance at end of the financial year | | 327,599,774 | 227,536,760 | 102,867,341 | (2,804,327) |

| 2022 | | Total | Accumulated | Asset | Fair Value |
|--|----|--------------------|--------------------|----------------------|--------------------|
| | | 2022 | Surplus | Revaluation Reserves | Reserve |
| | | \$ | \$ | \$ | \$ |
| Balance at beginning of the financial year | | 310,300,160 | 218,665,310 | 97,298,801 | (5,663,951) |
| Net Operating Result for the Year | | 5,619,521 | 5,619,521 | - | - |
| Other Comprehensive Income: | | | | | |
| Fair Value adjustment to Investment in Water Corp. | 18 | 1,314,232 | - | - | 1,314,232 |
| Net asset revaluation increment/(decrement) | 35 | (13,123,849) | - | (13,123,849) | - |
| Balance at end of the financial year | | 304,110,064 | 224,284,831 | 84,174,952 | (4,349,719) |

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes



Statement of Cash Flows

For the Year Ended 30 June 2023

| | Note | Actual 2023 \$ Inflows (Outflows) | Actual 2022 \$ Inflows (Outflows) |
|---|------|---|---|
| Cash Flows from Operating Activities | | | |
| Receipts | | | |
| Rates and Charges | | 15,744,022 | 14,577,792 |
| Interest Received | | 787,273 | 447,795 |
| Reimbursements and Contributions | | 532,474 | 419,099 |
| User Fees and Charges | | 1,761,507 | 1,697,910 |
| Operational Grants | | 7,057,597 | 6,143,938 |
| Distributions from Water Corporation | | 667,200 | 667,200 |
| Net Refunds from the Australian Tax Office | | 1,222,239 | 1,180,297 |
| Payments | | | |
| Employee Costs | | (8,290,292) | (7,601,526) |
| Materials and Contracts | | (13,069,082) | (9,562,113) |
| Interest Expense | | (211,320) | (211,320) |
| Other Expenses | | (137,980) | (121,959) |
| Net cash provided by Operating Activities | 39 | 6,063,638 | 7,637,113 |
| Cash Flows from Investing Activities | | | |
| Proceeds from | | | |
| Sale of Property, Plant and Equipment | | 258,958 | 161,777 |
| Loaned Funds Repaid | | 4,710,792 | - |
| Capital Grants | | 2,912,953 | 2,357,865 |
| Capital Contributions | | 12,850 | 188,004 |
| Investments | | 27,961,376 | 24,387,027 |
| Payments for | | | |
| Property, Plant and Equipment | | (6,149,812) | (7,195,476) |
| Investments | | (30,318,712) | (29,728,814) |
| Net cash used in Investing Activities | | (611,595) | (9,829,617) |
| Cash Flows from Financing Activities | | | |
| Payments for | | | |
| Borrowed Funds Repaid | | (3,600,000) | - |
| Net cash provided by Financing Activities | 39 | (3,600,000) | - |
| Net Increase/(Decrease) in cash held | | 1,852,043 | (2,192,504) |
| Cash at the beginning of the year | | 598,646 | 2,791,150 |
| Cash and Cash Equivalents at end of the financial year | 11 | 2,450,689 | 598,646 |

The above Statement of Cash Flows should be read in conjunction with the accompanying notes

Motion to Close Meeting

Motion Close the meeting to the public for discussion of matters in the list of agenda items below.

Refer to *Local Government (Meeting Procedures) Regulations 2015: s15(1)*.

Vote Absolute majority

Closed Session Agenda

Confirmation of Closed Minutes

Refer to *Local Government (Meeting Procedures) Regulations 2015: s34(2)*.

Leave of Absence Applications

Refer to *Local Government (Meeting Procedures) Regulations 2015: s15(2)(h)*.

Contract No. 255 - 2023-24 - Quamby Brook, Roxford Road Bridge - Design and Reconstruction

Refer to *Local Government (Meeting Procedures) Regulations 2015: s15(2)(d)* regarding contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.

Contract No. 253 - 2023-24 - Blackstone Heights Intersection Improvement

Refer to *Local Government (Meeting Procedures) Regulations 2015: s15(2)(d)* regarding contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.

Cluan Landfill - Acquisition of Existing Landfill Lease Area

Refer to *Local Government (Meeting Procedures) Regulations 2015: s15(2)(f)* proposals for the council to acquire land or an interest in land or for the disposal of land.

Release of Public Information

Refer to *Local Government (Meeting Procedures) Regulations 2015: s15(8)*.

Meeting End

