



Kingborough

THE KINGBOROUGH INTERIM PLANNING SCHEME 2015

Fact Sheet No. E10

BIODIVERSITY CODE

Purpose of the Code

The purpose of this code is to:

- a) *minimise loss of identified threatened native vegetation communities and threatened flora species;*
- b) *conserve identified threatened fauna species by minimising clearance of important habitat and managing environmental impact;*
- c) *minimise loss of other biodiversity values that are recognised as locally significant by Kingborough Council.*

How does the Code apply to use or development in Kingborough?

This code applies to development involving clearance and conversion or disturbance of native vegetation within a Biodiversity Protection Area. Development includes but is not limited to subdivision, buildings and other works associated with a development, such as road or access construction, utilities installation, wastewater disposal, earthworks and bushfire hazard management.

The Biodiversity Protection Area is shown on the Kingborough Interim Planning Scheme 2015 Code Overlay Maps – Map E10.

The development itself may be located outside the mapped area, but if it impacts on upon native vegetation located within this mapped area, the code will still apply.

The code does not apply to:

- impacts on native vegetation located outside the mapped area; or
- development located within the mapped area but where there will be no impact on native vegetation.

If your development has the potential to impact on any native vegetation within the Biodiversity Protection Area, we strongly recommend you discuss your proposal with Council staff prior to lodgement of an application.

What zones does the Code relate to?

The code deals with impacts on biodiversity values arising from vegetation clearing or disturbance associated with development across all rural zones, including the Rural Living, Environmental Living, Rural Resource and Environmental Management zones. The code also deals with biodiversity and native vegetation issues arising from development within other urban-type zones, where these zones are within the mapped area.



kingborough.tas.gov.au

Civic Centre, 15 Channel Hwy, Kingston, Tasmania 7050 Locked Bag 1, Kingston Tasmania 7050
AusDoc: DX 70854 T: (03) 6211 8200 F: (03) 6211 8211 E: kc@kingborough.tas.gov.au

Please note, there may be other zone or code provisions which control impacts on native vegetation and biodiversity, such as in a coastal or riparian area or for the removal of individual high conservation value trees in the Inner Residential, General Residential, Low Density Residential, Community Purpose, Light Industrial, Commercial, Central Business, General Business, Local Business, Recreation, Open Space, Urban Mixed Use, Utilities, Village and Port and Marine zones.

Are there any exemptions from the Code?

There are a number of exemptions from this code, including but not limited to the removal of declared or environmental weeds, forest operations in accordance with a certified Forest Practices Plan or impacts associated with a Level 2 Activity under the *Environmental Management and Pollution Control Act 1994*. For a full list of exemptions see Section E10.4 of the Code. Please note, it is the responsibility of the landholder to have sufficient documentation to demonstrate their activity is exempt from the code.

How does the Code work?

Table E10.1 of the code defines High, Moderate and Low priority biodiversity values and provides different development controls depending upon which values are impacted by a development and what the type of development is. These controls are detailed in section E10.7 of the code.

In general, impacts from development on any priority values located within the Biodiversity Protection Area need to be minimized. This includes ensuring the development is located where it has the least impact and minimizing bushfire hazard management measures as much as possible while ensuring adequate safety standards are achieved.

For development impacting on moderate and/or high priority values, any remaining values must also be retained and improved and any adverse impacts offset in accordance with the Guidelines for the Use of Biodiversity Offsets (Southern Tasmanian Councils Authority 2013) and Kingborough Council Policy 6.10. In addition, impacts on high priority values will only be allowed in special circumstances and where it can be demonstrated that these impacts will not substantially detract from the conservation status of the value.

There are many publicly available information layers which can indicate which values might be present on or near your land and could be potentially impacted by a proposed development. These include the Threatened Species Link (<http://www.threatenedspecieslink.tas.gov.au/search>), the Natural Values Atlas (<https://www.naturalvaluesatlas.tas.gov.au/>).

Council also has more detailed up-to-date mapping of biodiversity values and can help clarify which values are likely to be impacted. However, these information tools are indicative only and the final determination of whether the values on your site are high, moderate or low is based on what exists on the ground.

What are the application requirements for this Code?

Application requirements are specified in section E10.5 of the code. It is the responsibility of the applicant to provide the information considered necessary to determine which values are impacted and whether the development controls are satisfied.

Depending on the priority of the values that may be impacted, this information may include:

- a) a natural values determination;
- b) a natural values assessment;
- c) a report detailing how impacts on priority biodiversity values will be avoided, minimised, and/or mitigated;
- d) a special circumstances justification report (high priority only);
- e) a biodiversity offsets plan (moderate and high priority values only).

