

Application by TKO Properties Limited (RC230179)

Supplementary Advice to the Hearing Panel

Mike Harding
May 2025

Introduction

This supplementary advice is provided in response to Minute 11 of the Hearing Panel, which requests, with respect to the deletion of Lot 7, comments “on whether the reduction in ecological effects is sufficient for [my] recommendation to change.”

This advice relies upon – and does not repeat – material in the Joint Witness Statement Ecology (26 March 2024) (JWS) and earlier advice provided in my:

- Review of Proposed Biodiversity Offsetting/Compensation, 25 March 2024
- Review of Proposed Biodiversity Offsetting, 22 September 2024
- Supplementary Statement to the Hearing Panel, 20 November 2024 (SS)

This advice complies with the Code of Conduct for Expert Witnesses, and is based on my qualifications and experience, as set out in my Supplementary Statement (November 2024).

The Lot 7 Removal Proposal

Wildlands Consultant’s response to Minute 10 of the Hearing Panel sets out the Applicant’s view of the ecological benefits arising from the removal of Lot 7. I understand these suggested benefits to be:

1. a reduction in the extent of loss of cushionfield vegetation.
2. a reduction in the number of individuals of Threatened and At Risk plants lost.
3. an increase in the extent of cushionfield vegetation that will be maintained through control of colonising species.
4. improved ecological connectivity at the site.

Ecological Effects of Lot 7 Removal

Removal of Lot 7 from the proposed subdivision reduces slightly the extent of adverse ecological effects but does not adequately address the principal adverse effects of the proposed activity: the loss¹ and fragmentation² of indigenous biodiversity at a location which is ecologically significant³ (meets SNA criteria), and which supports an unusually high number of Threatened and At Risk plant species.⁴

¹ JWS, para 19 & 30

² SS, para 10.

³ SS, para 9; JWS, para 6.

⁴ SS, para 13-16.

Other critical issues that remain are the absence of survey data on invertebrate fauna⁵ (and therefore the incomplete assessment of the potential adverse effects of the activity), the inappropriateness of the proposed offset/compensation package, and uncertainty about the achievability and sustainability of that offset/compensation package.⁶

Conclusion

The deletion of Lot 7 from the proposed subdivision activity does not alter my earlier advice.

The proposed activity will have major adverse effects on significant indigenous vegetation/habitat and will very likely result in a net loss of indigenous biodiversity. It is an inappropriate activity at this location.

Mike Harding

29 May 2025

⁵ SS, para 7-8; JWS, para 7-10.

⁶ SS, para 17-24.