

EPBC Act referral



Australian Government

Department of Agriculture, Water and the Environment

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Title of proposal	2020/8808 - Piano Cove Golf Course and Hotel
Section 1	
Summary of your proposed action	
1.1 Project industry type	Commercial Development
1.2 Provide a detailed description of the proposed action, including all proposed activities	
<p>The Action includes the development of a commercial complex situated along the Tasman Highway in the western section of the site and an 18 hole golf course, clubhouse, hotel and maintenance facilities in the eastern section of the site, near the coast. Existing roads will be upgraded to service the operation. Reuse water will be utilised to water the fairways from an existing water treatment plant that is offsite. Effluent from the site may be piped to the same WT plant from which the reuse water will be sourced.</p> <p>Works required that will disturb the site include the road upgrades including road side drainage, vegetation clearance for buildings and fairways and ancillary infrastructure, cut and fill for buildings and storm water drainage. Details of engineering works are provided in Attachment 1a. An overview of the approach to fairway develop is in Attachment 1b and a similar approach will be applied at Piano Cove.</p> <p>Attachment 1. Sheets 1 and 2 illustrate the Master Plan and Attachment 2. Sheets 1 and 2 illustrate the water reuse pipeline route.</p> <p>The expected impacts of the works include:</p> <p>The area of each vegetation type (TASVEG units) is reported in Table 3 as area likely to be lost to each element of the proposal. The total area of proposed clearance for these elements is 20.62 ha.</p> <p>In terms of potential clearance of threatened vegetation units, the DOV and ARS (Critically endangered and vulnerable under EPBCA respectively) have been excluded from direct impact and are not at risk from indirect or facilitated impacts. For the NCA and EPBCA listed communities, areas in the current footprint are as follows:</p> <ul style="list-style-type: none"> Wetland - ASF – Nil Eucalyptus ovata forest - DOV – Nil Coastal Eucalyptus viminalis forest - DVC – Nil Melaleuca swamp forest - NME – 0.5 ha – The balance of 3.92 ha remains undeveloped. <p>A loss of 0.5 ha of NME is equivalent to 0.25 % of the extent of the community within the Break O'Day Council and < 0.006 % of the occurrence statewide. This is considered to be a negligible impact statewide and within the municipality.</p> <p>No threaten flora will be disturbed. The protection of the flora during construction and ongoing management will be included in a property management plan including protection from weed and phytophthora infestation.</p> <p>The area of each fauna habitat type is reported in Table 4 of Attachment 4a on page 34 as the area likely to be lost to each land use, the area remaining, the total area and total loss. The footprint includes areas of potential threatened fauna habitat are as follows:</p> <ul style="list-style-type: none"> Chaostola skipper – habitat avoided and unoccupied or relatively unimportant based on survey results. Green and gold frog – habitat avoided and considered to be unoccupied or relatively unimportant based on survey results. New Holland mouse – 16.9 ha predominantly fairways plus roads and buildings. Shore birds – 0.02 impacted - 18.37 ha occurs on adjacent beaches, predominantly beach nesting habitat. Potential nesting and foraging habitat for nesting shore birds are at risk of disturbance by increased visitor frequency. The increase in beach use is likely to be a considerable one and could include the introduction of dogs and 4WD's to the beach. Swift parrot foraging habitat – No swift parrot habitat will be disturbed. This foraging habitat is considered to the low-moderate quality only based on tree size and distribution, but is located within the breeding range of the species and immediately south of the Binalong Swift Parrot Important Breeding Habitat (SPIBA). White-bellied sea-eagle – The eagle nest has potential sight lines to fairways within a 500 m buffer. All other elements have been removed from the buffer to minimise disturbance. 	
1.3 What is the extent and location of your proposed action?	
See Appendix B	
1.5 Provide a brief physical description of the property on which the proposed action will take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland)	
<p>The extent of the property is illustrated above; it is approximately 540 ha. This land comprises 8 titles that run west from its Tasman Highway frontage to the coast in the east. The land is situated between Little Basin and Jock's Lagoon and is about 5 km south of St Helens.</p>	



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The land slopes down from the west to the east from about 30 to 5 m a.s.l.

The predominant cover is forest in the west with heaths and scrubs dominating the east in association with the development footprint.

The land is accessed by a large gravel road and traversed by numerous unformed tracks.

The site frontage is 3.5 km south of St Helens. It sits within a very extensive bushland setting adjacent to the coast. Forestry and agriculture are the mainland uses in the region, with considerable residential development in bushland settings and the urban environment of St Helens. St Helens is the largest town on Tasmania's east coast and is an important tourism destination.

1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?

The total area of disturbance is approximately 21 ha. The avoidance footprint is 515 ha; which includes all potential MNES habitat excluding 4 ha of weed infestation.

1.7 Proposed action location

Lot - CT 16498/1-6 and 8 and CT 127190/7

1.8 Primary jurisdiction

Tasmania

1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?

☐ Yes ☒ No

1.10 Is the proposed action subject to local government planning approval?

☒ Yes ☐ No

1.10.1 Is there a local government area and council contact for the proposal?

☒ Yes ☐ No

1.10.1.0 Council contact officer details

1.10.1.1 Name of relevant council contact officer	John Brown
1.10.1.2 E-mail	admin@bodc.tas.gov.au
1.10.1.3 Telephone Number	0363767900

1.11 Provide an estimated start and estimated end date for the proposed action	Start Date	01/01/2022
	End Date	01/12/2024

1.12 Provide details of the context, planning framework and state and/or local Government requirements

The proposal is subject to the Break O'Day Interim Planning Scheme 2015. It is zoned as 'Environmental Living' which allows for a minimum of 20 ha residential developments with a single dwelling. The site requires rezoning to accommodate the Action. There is an application before the Tasmanian Planning Commission to rezone the land as a Specific Area Plan. The State may be required to provide Permits to take threatened species if such are directly impacted.

1.13 Describe any public consultation that has been, is being or will be undertaken, including with Indigenous stakeholders

A public presentation of the proposal will be completed in January 2021. The site will be open for inspection in conjunction with the presentation.

1.14 Describe any environmental impact assessments that have been or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project

A detailed flora and fauna habitat assessment has been completed over a number of years (Attachment 4a). The



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assessment addresses the potential impacts of the Action as proposed here. The planning of the Action has taken into account the findings of the assessments to avoid or minimise impacts on threatened flora and fauna habitats.

The field assessments were seasonally targeted to ensure that all flora and fauna MNES were assessed as appropriate to identify likely presence and abundance.

The project has avoided direct impacts on all MNES habitats that are known to be utilised or have a high likelihood of being utilised. Indirect potential impacts of the development are minimised by prescriptions applied to construction and post construction use of the site.

1.15 Is this action part of a staged development (or a component of a larger project)?

☐ Yes ☒ No

1.16 Is the proposed action related to other actions or proposals in the region?

☐ Yes ☒ No



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Section 2

Matters of national environmental significance

2.1 Is the proposed action likely to have any direct or indirect impact on the values of any World Heritage properties?

☐ Yes ☒ No

2.2 Is the proposed action likely to have any direct or indirect impact on the values of any National Heritage places?

☐ Yes ☒ No

2.3 Is the proposed action likely to have any direct or indirect impact on the ecological character of a Ramsar wetland?

☐ Yes ☒ No

2.4 Is the proposed action likely to have any direct or indirect impact on the members of any listed species or any threatened ecological community, or their habitat?

☒ Yes ☐ No

Species or threatened ecological community

New Holland Mouse. This species is very rare in Tasmania. It has not been detected for more than a decade and is considered to be undetectable. The extent of habitat in Tasmanian and in the vicinity of the proposal is large. It appears that the NHM's natural rarity has been exacerbated by unfavourable fire regimes and the impact of predation and competition from the house mouse. Because it is considered to be undetectable in Tasmania the protection of the species relies entirely on protecting habitat which may or may not be occupied. In Tasmania and in the vicinity of the proposal NHM habitat is well reserved with large tracts contained in all of the northern and eastern Conservation Areas, Regional Reserves and National Parks. Nevertheless, it's distribution in Tasmania and in the St Helens area is uncertain and the stated regulatory position that it is undetectable makes dealing with it a quandary. Attachment 4c illustrates the distribution of recordss of the NHM

Impact

Conversion of 16.93 ha of NHM heath habitat. The balance of 519 ha of potential habitat is avoided, retained and protected.

Species or threatened ecological community

Chaostola skipper - This butterfly is endangered in Tasmania and under the EPBCA. In Tasmania it is known only from a very few locations, although observation records have increased substantially in recent times the range of suitable habitats has been expanded. It's host species for forage and nesting habitat is Ghania radula and G. microstachya. Ghania radula is an extremely common plant along the east coast of Tasmania and the Skipper is not necessarily present where the plants are. The Skipper requires a high cover of Gahnia under only a light canopy of trees. Suitable habitat for the species is present on site, but the species was not observed during the targeted searches. This indicates the habitat is likely to be unoccupied or relatively unimportant in the conservation of the species. Attachment 4c illustrates the distribution of records of the Chaostola skipper.

Impact

Conversion of suboptimal Chaostola skipper habitat supporting host plants but no skippers recorded. All optimal habitat (high cover in high light) is avoided although no skippers were recorded there.

Species or threatened ecological community

Migratory and shore birds - The protected areas south of rocky beach outcrops provide suitable nesting habitat for terns, but breeding has not been observed in these locations. The eastern curlew is a non-breeding migrant, potentially visiting the outlet of Diana's Basin. A nesting territory of hooded plovers was observed on the beach in the 2017 survey – a sub-adult was



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present, indicating recent breeding success. Attachment 4e illustrates the distribution of records of the migratory species.

Impact

Minor disturbance of nesting and foraging through visitation. The beaches are not on the site but visitation is likely to increase as a result of the proposal. However, this offers an opportunity to reduce the visitation and impact of illegal access of 4WD's and dogs.

Species or threatened ecological community

Tasmanian devil and spotted-tailed quoll. These species utilise the habitat primarily for foraging. The footprint of 21 ha is highly unlikely to support any dens and none were found during targeted searches despite the cover being relatively light. There are opportunities for dens in the sandy ground and wombats have excavated burrows that may also be utilised. The species are likely to at least traverse the impact area when hunting. There are likely to be relatively few animals utilising the site because it is infertile and unproductive. The site is outside of the core range and important populations of the quoll. The highest density of both mammals is associated with productive sites in an association with fertilised pasture and forest in the north of the state. Such sites attract high numbers of prey species.

Impact

The loss of 21 ha of foraging habitat. This habitat is suboptimal habitat due to the relatively low productivity of the site and attendant sparse prey. The conversion of 21 ha of foraging habitat is negligible in the context of the landscape in the vicinity. The dispersal of the habitat conversion as small patches across a large site is compatible with the persistence of the mammals on the site. The development of fertilised golf fairways and greens is likely to increase the abundance of prey species which will contribute to sustaining the animals that utilise the site. The number of animals is likely to grow as a result of increased productivity. The proposal does not exacerbate the spread of Tasmanian devil facial tumour disease. A roadkill mitigation plan will be implemented for use during construction and operation of the site. Preclearance surveys will be undertaken to ensure no dens have been built since the last surveys. If dens are located the DPIPWE den decommissioning protocol will be implemented to ensure that no animals are injured and that active dens are allowed to complete the breeding cycle.

An injured animal protocol has been developed to ensure proper management of unintended injuries.

Species or threatened ecological community

Eastern Quoll - Potential range is the whole of Tasmania. Occurs in heaths but dry forests with a grassland mosaic are optimal. This mosaic tends to occur on more fertile soils. Climatic conditions (mild coastal winters) are not strongly suited to the presence of this species, nor are the infertile soils. Habitat condition is nonetheless varied enough that the species may utilise the "suboptimal" site.

Impact

The loss of 21 ha of suboptimal foraging habitat. The balance of 519 ha supports areas of higher quality habitat associated with woodlands on deeper soils.

Species or threatened ecological community

White-bellied Sea eagle - The Sea-eagle is widely distributed around the coast of Tasmania and inland near lakes. Potential nesting habitat is limited to protected sites in the near coastal forest, specifically the estuarine valley of Onion Creek. A nest was located in this area during the 2017 survey and noted as having two juveniles present during the November surveys. However, most large trees in the stand including the nest tree have died, and the nest was not active in 2019. The loss of a protective canopy cover may have left the nest too exposed for further use. Nevertheless, consideration has been given to potential disturbance during the breeding season within 500 m and 1 km line of sight of this nest, which resulted in a redesign of the golf course layout. Discussion with DPIPWE included minimising incursions into the 500 m buffer by design and mitigating disturbance by construction activities during the breeding season.

Impact

Minor development within 500 m but not in line of sight. The line of sight from the eagle's nest to the hotel and fairway 10 and tea bed 11 is prevented by continuous forest canopy.

Species or threatened ecological community

MNES flora. Attachment 4d illustrates the broad and local distribuion of threatend flora. Details of the location of Conospermum hookeri on the site are reported in Attachment 4a.



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Impact
No impact is anticipated and an management plan will be prepared to sustain the species on the site.
2.4.2 Do you consider this impact to be significant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.5 Is the proposed action likely to have any direct or indirect impact on the members of any listed migratory species or their habitat? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.6 Is the proposed action to be undertaken in a marine environment (outside Commonwealth marine areas)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.7 Is the proposed action likely to be taken on or near Commonwealth land? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.9 Is the proposed action likely to have any direct or indirect impact on a water resource from coal seam gas or large coal mining development? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.10 Is the proposed action a nuclear action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.11 Is the proposed action to be taken by a Commonwealth agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.12 Is the proposed action to be undertaken in a Commonwealth Heritage place overseas? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.13 Is the proposed action likely to have any direct or indirect impact on any part of the environment in the Commonwealth marine area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No



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Section 3

Description of the project area

3.1 Describe the flora and fauna relevant to the project area

Flora

219 species were recorded in 2017 (Attachment 4a).

Six threatened flora species were recorded during field surveys. One of these is a MNES. The balance of 5 threatened flora species are listed on the Tasmanian Threatened Species Protection Act that are not listed on the EPBC Act. Details of these species including locations on the site are described in Attachment 3.

The following species were identified by the Protected Matters Search tool. All were targeted during seasonal surveys over multiple years. The suitability of habitat and status of the species on the site is:

Caladenia caudata (tailed spider orchid) Vulnerable. Potential habitat on northern slopes of woodland areas. Not recorded during targeted surveys.

Conospermum hookeri (Smoke bush) Vulnerable. This species has been reported from four general locations in the site. In 2017, 15 plants were observed. All plants are avoided by the proposal.

Phebalium davisii (Davies' wax flower) Critically endangered. No suitable habitat is present, and it is unlikely to have been overlooked.

Thelymitra jonesii (Sky-blue sun orchid) Endangered. Marginally suitable habitat present. Very widespread but rare species. Not recorded during seasonal targeted survey

Xanthorrhoea bracteata (Shiny grasstree) Endangered. Marginally suitable habitat present, but not present and is not easily overlooked.

Xanthorrhoea arenaria (Sand grasstree) Vulnerable. Suitable habitat is present, but the species is not present and is not easily overlooked.

Fauna

The fauna of the site is also typical of the habitats present in north eastern Tasmania. All of the threatened fauna with potential habitat on the site are widespread on the east coast of Tasmania. Targeted fauna habitat surveys were completed, and targeted fauna species surveys were completed where relevant.

The following species were returned by the Protected Matters Search Tool or else have suitable habitat on the site:

Green and Gold Frog (*Litoria raniformis*) Vulnerable. Semi-permanent/permanent habitat present in an artificial dam. Seasonal habitat present in aquatic freshwater sedgeland. Adjacent habitat within Jock's Lagoon (Ramsar) is likely to be more important than any habitat patches within the proposal area (and the species has been recorded from nearby Moriarty Lagoon around 2.5 km away). No green and gold frogs were recorded during targeted surveys of the dam during the 2011 and 2017 surveys.

Eastern Curlew (*Numenius madagascariensis*) Critically endangered. Eastern curlew is a non-breeding migrant, potentially visiting the outlet of Diana's Basin south of the site.

Hooded plover (*Thinornis rubricollis*) Vulnerable. A nesting territory of hooded plovers was observed on the beach in the 2017 survey – a sub-adult was present, indicating recent breeding success.

Swift Parrot (*Lathamus discolor*) Critically endangered. Foraging habitat is present in the coastal *E. globulus* forest and the *E. ovata* forest and woodland. Site unlikely to be used for nesting. In generally most potential foraging trees are less than 40 cm dbh and thus the site is considered to contain low quality foraging habitat.

Wedge-tailed Eagle (*Aquila audax fleayi*) Endangered. No nest sites known but could use a known white-bellied sea-eagle nest in some years.

White-bellied Sea-eagle (*Haliaeetus leucogaster*) Marine. Nest site located during 2017 survey and noted to contain two juveniles during the November surveys.

Chaostola skipper (*Antipodia chaostola*) Endangered. Host plant *Gahnia radula* is abundant in open sedgy woodland situations. Habitat present as indicated in Figure 5 of Attachment 4a. Has not been observed on site, despite targeted searches. This indicates the habitat is likely to be unoccupied or relatively unimportant in the conservation of the species. Habitat for the species is generally much more common than the species itself although records are accumulating as more searches are undertaken.

Spotted-tailed Quoll (*Dasyurus maculatus*) Vulnerable. Potential habitat is present. The site is not part of the core habitat for this species nor is it of high significance based on condition and habitat elements. No observations of sign evidence resulted from the November 2017 survey.

Eastern Quoll (*Dasyurus viverrinus*) Endangered. Potential range is the whole of Tasmania. Occurs in heaths but dry forests with a grassland mosaic are optimal. This mosaic tends to occur on more fertile soils. Habitat condition is nonetheless varied enough that the species may utilise the sites "suboptimal" habitat.

Tasmanian Devil (*Sarcophilus harrisii*) Endangered. This species has been observed indirectly on the site during the 2017 survey (with footprints detected). Two potential den sites have been identified for the placement of motion-sensitive cameras. The entire site is suitable foraging habitat with scattered and sparse denning opportunities. Wombat burrows may provide denning opportunities.

See 2.4.1



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3.2 Describe the hydrology relevant to the project area (including water flows)

The site occupies three catchments. A small portion of the site in the far north drains to Jocks Lagoon which is a freshwater lagoon and Ramsar wetland. The predominant drainage is via Onion Creek with flows west to east through the centre of the site. Onion Creek flows to the sea via a very small estuary. A small portion of the site drains to Little Basin which enters the sea via Diana's Basin to the south of the site.

The near coastal location was investigated for its vulnerability to coastal processes. See Attachment 5.

3.3 Describe the soil and vegetation characteristics relevant to the project area

The soil is characterised by recent sands and old sequences of sediments. Granite soils cover the balance. The vegetation is dry sclerophyll forest in the west grading to heathy woodland then heath and finally sand dune scrub in the east. Local pockets support wetter forests or wet heath.

Of the vegetation there is one forest type that is a threatened ecological community listed on the EPBC. This is *Eucalyptus ovata* forest and woodland (DOV). This forest is in the main Onion Creek drainage line and in small stands on other low lying areas.

A very small area of freshwater sedgeland in Jocks Lagoon extends onto the site.

The predominant eucalypt forests are *E. sieberi* dry forest and *E. amygdalina* dry forest both of which are well reserved. *E. viminalis*/*E. globulus* coastal forest occurs in small areas. This forest is listed as threatened on the Tasmanian Nature Conservation Act. This forest occurs at the gradation from forest to heath in the east of the site.

Non eucalypt forests include *Allocasuaria verticillata* forest and *Melaleuca ericifolia* swamp forest. The latter is also listed as threatened on the Tasmanian Nature Conservation Act.

The balance of land is wet and dry scrubs and heaths. The wet heaths occupy depressions and drainage lines and the dry scrubs and heaths occupy the near coastal and sand dune areas.

Attachment 5 (Section 4) provides more detail on the geology, soils and coastal vulnerability of the site

3.4 Describe any outstanding natural features and/or any other important or unique values relevant to the project area

The site is typical on the north east near coastal area of Tasmania. A series of freshwater lagoons to the north of the site on St Helens Point. One of these, Jocks Lagoon is a wetland of international importance. A very small portion of this lagoon occurs on the site (Attachment 6 - Section 4). The lagoon is not impacted by the proposal and prescriptive management to ensure its protection is included in Attachment 7 (Section 4).

3.5 Describe the status of native vegetation relevant to the project area

There is one forest type that is a threatened ecological community listed on the EPBC. This is *Eucalyptus ovata* forest and woodland (DOV). All of the DOV is avoided, none will be impacted.

A very small area of freshwater sedgeland in Jocks Lagoon extends onto the site. This is a Ramsar site and the wetland vegetation is listed as threatened on the Tasmanian Nature Conservation Act.

The predominant eucalypt forests are *E. sieberi* dry forest and *E. amygdalina* dry forest both of which are well reserved.

E. viminalis/*E. globulus* coastal forest is listed as threatened on the Tasmanian Nature Conservation Act.

Non eucalypt forests include *Allocasuaria verticillata* forest and *Melaleuca ericifolia* swamp forest. The latter is also listed as threatened on the Tasmanian Nature Conservation Act. The balance of land is wet and dry scrubs and heaths which are all well reserved.

3.6 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area

The site is virtually flat in the western half with a slight slope toward Onion Creek in the centre of the site. In the east the slope toward Onion Creek steepens into a narrow valley and the flanks to the north and south are flat toward those aspects but slope moderately to the east toward primary dunes at the coast.

3.7 Describe the current condition of the environment relevant to the project area

The vast majority of the site supports native vegetation. However, large portions of the site have been "cleared" and burnt in the past and have regenerated to the original native vegetation. The disturbance has resulted in Spanish heath (Declared weed Tasmania) invading substantial areas. The area and abundance of Spanish heath is increasing rapidly.

The northern heathlands have symptomatic evidence of disease caused by *Phytophthora cinnamomi*. The infection has greatly simplified the floristics and the structure of the heath.

Dune vegetation in the south has been infested with the exotic marram grass.

Onion Creek is dammed which is likely to affect flush flows downstream when inflows have been low for extended periods.

The site is traversed by a few substantial tracks. These are used illegally for access to and from the beach and then along the beach.

Notwithstanding the above the forest and woodland vegetation retains its natural structure for habitat.



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3.8 Describe any Commonwealth Heritage places or other places recognised as having heritage values relevant to the project

NA

3.9 Describe any Indigenous heritage values relevant to the project area

An Aboriginal heritage study was undertaken in 2017. The development proposal that it assessed has been significantly reduced since that time.

The field survey resulted in the identification of 15 Aboriginal heritage sites within the boundaries of the study area.

Nine of these sites correlate with registered Aboriginal sites that had previously been recorded within or in the immediate vicinity of the study area boundaries (sites AH5617 – AH5625). These nine sites were all classified as shell midden deposits, which were originally recorded by Christine Burke (1998), as part of her systematic archaeological surveys along the coastline of North East Tasmania. The current field survey confirmed the presence of stone artefacts in association with five of these shell midden deposits. It should be noted that these were the only registered Aboriginal sites that had previously been recorded within the study area boundaries.

The other six Aboriginal sites recorded by the field team are all newly recorded sites, which do not correlate with any previous site registration. Two of the sites are classified as shell middens, with one of these shell middens also having stone artefacts present (sites AH13301 and AH13302). Another two sites are classified as Artefact scatters (sites AH13303 and AH13304). Site AH13303 comprises six stone artefacts, with site AH13304 comprising 11 artefacts. The remaining two sites are classified as Isolated artefacts (sites AH13299 and AH13300).

There was a very distinctive pattern of site distribution observed for the study area, with the majority of the 15 Aboriginal sites concentrated within the eastern portion of the study area, within 400 m of the coastal foreshores. This includes all of the recorded shell midden deposits. Only two sites were recorded further than 400 m away from the coastal foreshores (site AH13304, a small artefact scatter and AH13299, an isolated artefact). Both sites are situated along the margins of Onion Creek, which is the only named water course that flows through the study area and are within 1 km of the coast.

No Aboriginal sites were located in the western portion of the study area.

The field survey was able to confirm that there are no rock outcrops that occur within the study area that would be in any way suitable for occupation as a rock shelter. There were also no stone outcrops present that would be suited for rock engravings or art sites. The field survey was also able to confirm that there are no rock outcrops that occur within the study area that would be suited for artefact manufacturing. However, igneous and quartz pebbles do occur along parts of the coastline, and these appear to have been opportunistically targeted.

The Indigenous heritage report recommends that all sites identified should be protected and artefacts should be conserved in situ and that everyone involved in construction should be made aware of the sites and provided with induction to ensure they are aware of the significance of the sites. The report is attached in Section 2.14.

as Attachments 4e-g.

3.10 Describe the tenure of the action area (e.g. freehold, leasehold) relevant to the project area

Eight freehold lots comprise the site. The coastal margin of the lots to the east and south is bound by the St Helens Conservation Area managed by the Tasmanian Parks and Wildlife service. To the north and west is private land.

3.11 Describe any existing or any proposed uses relevant to the project area

The site is not currently utilised other than for illegal camping and access to and from the beach. There is a proposal before the Tasmanian Planning Commission to zone the site as a Specific Purpose Area. This use would include a commercial "hub" near the Tasman Highway on land infested with Spanish Heath. The proposed major use is an 18-hole golf course a hotel, clubhouse, maintenance facility and staff accommodation (Attachment 1).



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Section 4

Measures to avoid or reduce impacts

4.1 Describe the measures you will undertake to avoid or reduce impact from your proposed action

A detailed natural values assessment undertaken over 4 years identified important areas for MNES. A number of design iterations were undertaken to avoid or otherwise minimise impacts on MNES. The design proposed here is very significantly different from the original proposal. Habitat management plans are proposed to ensure that the balance of MNES habitats are sustainably managed, enhanced where practicable and protected from the spread of *Phytophthora cinnamomi* to the extent possible.

Details of habitat management during construction and operation of the site are included in Attachment 7.

4.2 For matters protected by the EPBC Act that may be affected by the proposed action, describe the proposed environmental outcomes to be achieved

New Holland Mouse habitat

1. Improve habitat quality through weed control
2. Sustain habitat quality through PC control
3. Habitat protection by conservation covenant
4. Habitat enhancement through fire management

Green and Gold Frog

1. Maintain or improve habitat quality in Jocks Lagoon
2. Improve protection from illegal visitation that risks the introduction of Chytrid fungus

Tasmanian devil, spotted tailed quoll and eastern quoll –

1. Protect balance of potential habitat and protect den sites

Shore birds

1. Improve the control of access to the shoreline and manage use and timing of use
2. Exclude dogs from the property which will reduce their access to the beach.

Swift parrot

1. Improve habitat quality through protection it so it can mature into high quality habitat over 10-20 years

Chaostola skipper

1. Protect and improve the condition of habitat by weed control

Smoke bush

1. Avoid impact
2. Improve habitat quality through weed control and application of ecological burning for regeneration

Jocks Lagoon Ramsar site

1. Maintain the quality of runoff from the land to the lagoon
2. Improve protection from illegal visitation that risks the introduction of Chytrid fungus.

These outcomes are achieved through the application of the whole of site Habitat Management Plan (Attachment 7).



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Section 5

Conclusion on the likelihood of significant impacts

5.1 You indicated the below ticked items to be of significant impact and therefore you consider the action to be a controlled action

- ☐ World Heritage properties
- ☐ National Heritage places
- ☐ Wetlands of international importance (declared Ramsar wetlands)
- ☐ Listed threatened species or any threatened ecological community
- ☐ Listed migratory species
- ☐ Marine environment outside Commonwealth marine areas
- ☐ Protection of the environment from actions involving Commonwealth land
- ☐ Great Barrier Reef Marine Park
- ☐ A water resource, in relation to coal seam gas development and large coal mining development
- ☐ Protection of the environment from nuclear actions
- ☐ Protection of the environment from Commonwealth actions
- ☐ Commonwealth Heritage places overseas
- ☐ Commonwealth marine areas

5.2 If no significant matters are identified, provide the key reasons why you think the proposed action is not likely to have a significant impact on a matter protected under the EPBC Act and therefore not a controlled action

No significant impact is identified. The breeding habitat and specialist foraging habitats of all species of MNES is avoided to the extent that none is within the footprint of the proposal. The habitat of the New Holland Mouse is not known to be occupied. Based on the survey outcomes of the past decade it is unlikely that the habitat is occupied. The species is considered to be undetectable through trapping surveys. As such this referral simply reports that the habitat on the site is characteristic of habitat formerly known to support the NHM.

Potential indirect impacts on fauna (such as swift parrot collision risk) will be managed by prescriptions through the implementation of a whole of property MNES management plan and building design specifications. The plan will include actions that enhance the habitats of MNES from the existing condition. If there is no improvement to the existing condition then the habitats of all of the MNES will be degraded primarily by weed infestation and the impact of phytophthora on the diversity of the flora. This in itself is identified as a threatening process for threatened flora fauna but particularly the New Holland Mouse which has a strong association with species that are susceptible to phytophthora and the impact of weed infestation.



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 6

Environmental record of the person proposing to take the action

6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Explain in further detail

The proponent has not undertaken actions that have specific environmental management requirements.

6.2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either (a) the person proposing to take the action or, (b) if a permit has been applied for in relation to the action – the person making the application

NA

6.3 If it is a corporation undertaking the action will the action be taken in accordance with the corporation's environmental policy and framework?

☐ Yes ☒ No

6.4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?

☐ Yes ☒ No



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 7
Information sources
Reference source
Barnes, R. 1998. Property report Prepared for East Coast Surveying, St Helens. Uni Tas Consulting Ltd.
Reliability
High
Uncertainties
Population estimates for threatend flora



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 8
Proposed alternatives
Do you have any feasible alternatives to taking the proposed action? Yes <input checked="" type="checkbox"/> No



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 9

Person proposing the action

9.1.1 Is the person proposing the action a member of an organisation?

☒ Yes ☐ No

Organisation

Organisation name Hallwill Pty Ltd
Business name
ABN ACN 117 103 410
ACN
Business address 52 South Road, Brighton, 3186, Vic, Australia
Postal address
Main Phone number 0400412553
Fax
Primary email address ian@hallssite.com
Secondary email address

9.1.2 I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am:

☒ Small business
☐ Not applicable

9.1.2.1 You must provide the date/income year that you became a small business entity:

11/11/2005

9.1.2.2 I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the EPBC Regulations *

☐ Yes ☒ No

9.1.3 Contact

First name Ian
Last name Hall
Job title Land Owner
Phone 0400412553
Mobile 0400412553
Fax
Email ian@hallssite.com
Primary address 52 South Road, Brighton, 3186, Vic, Australia
Address

Declaration: Person proposing the action

I, Ian Hall, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf or for the benefit of any other person or entity.

Signature: [Signature] Date: 7/10/20

I, Ian Hall, the person proposing the action, consent to the designation of Hallwill Pty Ltd as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature: [Signature] Date: 7/10/20

I have read the Department of the Environment and Energy's guidance in the online form concerning the definition of a small business entity and confirm that I qualify for a small business exemption.

Signature: [Signature] Date: 7/10/20



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Proposed designated proponent**9.2.1 Is the proposed designated proponent a member of an organisation?**

☒ Yes ☐ No

Organisation**Organisation name**

Hallwill Pty Ltd

Business name**ABN**

ACN 117 103 410

ACN**Business address**

52 South Rd, Brighton, 3186, VIC, Australia

Postal address**Main Phone number**

0400412553

Fax**Primary email address**

ian@hallssite.com

Secondary email address**9.2.2 Contact****First name**

Ian

Last name

Hall

Job title

Land Owner

Phone

0400412553

Mobile**Fax****Email**

ian@hallssite.com

Primary address

10 Goodman Ct, Invermay, 7248, TAS, Australia

Address**Declaration: Proposed Designated Proponent**

I, Hallwill Pty Ltd, the
proposed designated proponent, consent to the designation of
myself as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature: [Signature] Date: 7/10/20



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Referring party (person preparing the information)

9.3.1 Is the referring party (person preparing the information) a member of an organisation?

☒ Yes ☐ No

Organisation

Organisation name NORTH BARKER ECOSYSTEM SERVICES
Business name
ABN 79897900835
ACN
Business address 163 Campbell St, Hobart, 7000, Tasmania, Australia
Postal address
Main Phone number 0438250713
Fax
Primary email address pbarker@northbarker.com.au
Secondary email address

9.3.2 Contact

First name Philip
Last name Barker
Job title Ecologist
Phone 0438250713
Mobile 0438250713
Fax
Email pbarker@northbarker.com.au
Primary address 163 Campbell St, Hobart, 7000, TAS, Australia
Address

Declaration: Referring party (person preparing the information)

I, Philip Barker, declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence.

Signature: [Signature] Date: 6/10/20



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Appendix A

Attachment

Document Type	File Name
action_area_images	Attachment 1. Piano_Coves_Master_Plan_sheet1_120520.pdf
action_area_images	Attachment 1. Piano_Coves_Master_Plan_Sheet2_120520.pdf
action_area_images	Attachment 2. 170212_Pipeline_Plan_Sheet1_30620.pdf
action_area_images	Attachment 2. 170212_Pipeline_Plan_Sheet2_30620.pdf
action_area_images	Attachment 3a. Fauna habitat exclusion areas 20200903.pdf
action_area_images	Attachment 3b. Flora exclusion areas 20200903.pdf
action_area_images	Attachment 1a. Engineering Drawings and Report.pdf
action_area_images	Attachment 1b. Faiway Design Statement.pdf
supporting_tech_reports	Attachment 4a. PianoCoveGC_NVA_20200529_ExAppB.pdf
supporting_tech_reports	Attachment 4b. Images and eagle nest LOS 20200818.pdf
supporting_tech_reports	Attachment 4c. MNESFauna.pdf
supporting_tech_reports	Attachment 4d. MNESFlora.pdf
supporting_tech_reports	Attachment 4e. MNES Migratory Species.pdf
supporting_tech_reports	not published due to potential cultural sensitivity Attachment 4f. Aboriginal Heritage Assessment Report_1-60.pdf
supporting_tech_reports	not published due to potential cultural sensitivity Attachment 4g. Aboriginal Heritage Assessment Report_61-118.pdf
supporting_tech_reports	not published due to potential cultural sensitivity Attachment 4h. Aboriginal Heritage Assessment Report_119-end.pdf
impact_reduction_docs	Attachment 5. Coastal Report Final.pdf
impact_reduction_docs	Attachment 6. Wetlands and Estuaries.pdf
impact_reduction_docs	Attachment 7. Habitat Management Plan 20200820.pdf

Appendix B

Coordinates

Area 1
-41.351362,148.30936
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Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

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Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

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