

From: |
To:
Subject: EPBC Approval Time frame
Date: Tuesday, 8 August 2023 5:05:50 PM
Attachments: [image001.png](#)
[Milford EPBC Approval Rev.01.pdf](#)

Hi

Refer attached.

Regards

|
s36

Principal Engineer

Mobile **s36** | **s36** [@pittsh.com.au](mailto:s36@pittsh.com.au) | [Connect on LinkedIn](#)

Hobart Office — Level 1, Surrey House, 199 Macquarie Street
PO Box 94 Hobart Tasmania 7001 | Phone +61 3 6210 1466

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ID	Task	Task Name	Duration	Start	Finish	July	August	September	October	November	December	January	February	March	April	May	June	July
1		Select additional team members for offset evaluation and documentation	20 days	Fri 14/07/23	Thu 10/08/23													
2		Review and update methodology for evaluation of offset area	30 days	Fri 14/07/23	Thu 24/08/23													
3		Review methodology with DCCEEW	5 days	Fri 25/08/23	Thu 31/08/23													
4		Field assessment of Offset area(s)	21 days	Fri 1/09/23	Fri 29/09/23													
5		Collate and report field results	10 days	Mon 2/10/23	Fri 13/10/23													
6		Draft Offset Strategy and Offset Management Plan	28 days	Mon 16/10/23	Fri 24/11/23													
7		Review Offset Strategy and Offset Management Plan	15 days	Mon 27/11/23	Fri 15/12/23													
8		Update Preliminary Documentation with latest orchid surveys	10 days	Mon 16/10/23	Tue 31/10/23													
9		Review updated Preliminary Documentation	15 days	Wed 1/11/23	Tue 21/11/23													
10		Landowner approval of Offset Strategy and Offset Management Plan	15 days	Mon 18/12/23	Mon 15/01/24													
11		Finalise Preliminary Documentation	10 days	Tue 16/01/24	Tue 30/01/24													
12		DCCEW approve PD, OMP and Offset Strategy and direct to publish	15 days	Wed 31/01/24	Wed 21/02/24													
13		Publish	5 days	Thu 22/02/24	Wed 28/02/24													
14		Advertising period	20 days	Thu 29/02/24	Thu 28/03/24													
15		Update Preliminary Documentation based on comments	20 days	Tue 2/04/24	Tue 30/04/24													
16		Re Advertise	10 days	Wed 1/05/24	Tue 14/05/24													
17		DAWE makes recommendation to Minister and Minister's decision	40 days	Wed 15/05/24	Tue 9/07/24													

Released under RTI

Project: Milford EPBC Approva Date: Fri 14/07/23	Task		Inactive Task		Manual Summary Rollup		External Milestone		Manual Progress	
	Split		Inactive Milestone		Manual Summary		Deadline			
	Milestone		Inactive Summary		Start-only		Critical			
	Summary		Manual Task		Finish-only		Critical Split			
	Project Summary		Duration-only		External Tasks		Progress			

From: |
To:
Subject: FW: (FB 8189) s36 - Milford
Date: Tuesday, 5 September 2023 5:17:35 PM
Attachments: [letter to s36](#) [17 Aug 2023.pdf](#)

Hi

Refer attached.

Regards

s36

Principal Engineer

Mobile | [@pittsh.com.au](#) | [Connect on LinkedIn](#)

Hobart Office — Level 1, Surrey House, 199 Macquarie Street
PO Box 94 Hobart Tasmania 7001 | Phone +61 3 6210 1466

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out of scope



§36
c/o §36
Fitzgerald & Brown,
GPO Box 1951, Hobart 7001
Level 2, T & G Building,
115 Collins Street, Hobart 7000

Dear §36,

I am responding to the letter from §36 dated 11 August.

As I verbally confirmed at our meeting on 22 May, I apologise for any offence caused by my wording in my report. From the discussions at that meeting, I had anticipated that there would be opportunity for the analysis to be reworked following further discussions with you to resolve an acceptable offset area and develop management prescriptions that would meet the requirements of the offset calculator.

It was never my intention to comment on your financial situation or monetary capacity to afford the cost of any management work, of which I have no knowledge. Rather my poorly worded statement was meant to observe how challenging it will be to undertake the tasks to control the spread of herbaceous weeds. My intent was to make the point that the Department of State Growth should expect to fund this work given the original source of infestation is likely to be from the existing highway.

The opinion I formed regarding the scoring attribute in the offset calculator is based on observations over twenty years of how these weeds have proliferated on site. The substantiation is from my view of past performance of herbaceous weeds, supported by my own personal experience with managing panic veldt grass (*Ehrharta erecta*) elsewhere. Panic veldt grass is extremely difficult to control and probably impossible to eradicate. The EPBCA Offset Calculator requires a measure for scoring the effectiveness of any management of the offset where active management attributed to the offset calculation is compared with likely outcomes should the additional management actions not have occurred. There has to be some projection that habitat value for the threatened orchids is likely to be improved by the application of the offset. Site Condition marker (Invasive ground cover herbs and grasses) is one of the measures I apply to the metric. In the draft document I anticipate possible condition score in twenty years. If the cover of herbaceous weeds exceeds 25 % cover then it will score 0, 5-25 % it will score 1 and <5 % it will score 2. The DCCEEW officers may disagree with my projected scores, especially should you argue that you expect without State Growth intervention the spread of herbaceous weeds will be controlled. It is however worth noting that over the past twenty years my observation is that there has been an increase in cover of these weeds from which I have extrapolated to form my projections.

I had anticipated, perhaps mistakenly, that you would welcome the opportunity to have external funding to contribute towards the onerous task of managing these very difficult weeds.

I propose an alternate wording to the section where you take offence. Below is the wording in the draft report and followed by an amended version.



Current wording:

FUTURE QUALITY SCORE WITHOUT OFFSET

The habitat, even 50 m from the boundary edge, is being impacted by increasing establishment of weeds. The landowner has been successful at controlling woody weeds but is unlikely to have the resources to control the further spread of herbaceous weeds such as freesia and panic veldt grass, which are more challenging but pernicious species that could degrade habitat suitability for orchids across the entire habitat area. The Habitat Quality in the offset management area is likely to worsen without intervention and so will be given a score of 0 under the criterion for *Invasive ground cover herbs and grassy weeds*.

Alternate wording:

FUTURE QUALITY SCORE WITHOUT OFFSET

The habitat, even 50 m from the boundary edge, is being impacted by increasing establishment of weeds, notably freesia and panic veldt grass, which are more challenging but pernicious species that could degrade habitat suitability for orchids across the entire habitat area. The Habitat Quality in the offset management area is likely to worsen without an increase above the recent level of intervention and so will be given a score of 0 under the criterion for *Invasive ground cover herbs and grassy weeds*. This assumes the continued spread of these species will result in > 25% averaged across the offset area.

I can suggest to the Department of State Growth that they forward my amended draft to DCCEEW. I do however recommend that we wait to amend the draft following the anticipated workshopping of the offset with you and your team of advisors.

You may wish to suggest a different view which DCCEEW will take into account in their deliberations. As we both know there is no offset without landowner support. I had, from our previous discussions on site, understood that you would welcome additional input to the management of this issue. My apologies if I have misunderstood you.

I do not believe my report is a public document. The document would not be made public until the DCCEEW approve advertising of the referral documentation which is currently on hold pending the development of an offset package which is dependent on your support.

Unfortunately, I cannot agree to withdraw my assertion pertaining to my projected score as that reflects my professional opinion.

Yours faithfully

s36

Director

North Barker Ecosystem Services

From: s36
To:
Cc: s36
Subject: FW: Maintenance Plan - Milford Compensatory Planting
Date: Tuesday, 15 August 2023 7:41:55 AM
Attachments: [image002.png](#)
(FB 8189) s36 - Milford.msg

Good morning

Please find attached correspondence that s36 (on behalf of s36) has sent to s36 (NBES) for your information.

We are leaving it up to s36 as to whether he wishes to respond or seek independent legal advice. We have asked him to let us know if he does.

Kind regards,

[Redacted]

s36

Associate Stakeholder and Community Engagement Consultant

Mobile s36 | s36 @pittsh.com.au | pittsh.com.au

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FITZGERALD AND BROWNE

LAWYERS

Our Ref: RAB:8189

11 August 2023

s36 36
Director,
North Barker Ecosystem Services,
313 Macquarie St.,
Hobart. 7000

Dear Sir,

**Re: Tasman Highway Upgrade Hobart Airport to Pittwater Bluff
EPBC 2020/8805 Offset Appraisal dated 2 February 2023 (plus V4.0 dated 14 March
2023) and V5.0 dated 9 May 2023), prepared for NBES**

I act for s36, whom as you are aware is the current custodian and landowner of Milford, 1431 Tasman Hwy Cambridge, part of which is subject to EPBC Referral 2020/8805, and with associated proposed activities including a potential offset.

In your submissions to DCCEEW titled above, dated 2 Feb, 14 March and 9 May 2023, and presumably in previous versions, you stated:

“The purpose of this document is to seek the Department of Climate Change, Energy, the Environment and Water (DCCEEW) endorsement of the methodology for assessing the impact area and offset area.

It also provides a method for monitoring the condition of the offset area over time. Once endorsed the impact and offset areas can be scored a condition (Habitat Quality) score. The information included in this appraisal will be incorporated along with the data from assessment into the Orchid Offset Area Management Plan.”

PARTNERS

Roland Browne
Oona Fisher
Richard Griggs

ASSOCIATE

Stephen Cronin

GPO Box 1951, Hobart 7001
Level 2, T & G Building,
115 Collins Street, Hobart 7000

Tel: (03) 6224 6777

Fax: (03) 6224 6755

www.fitzgeraldandbrowne.com.au

E: thefirm@fablawyers.net.au

In the scheme of assessment work on Milford, your submission was a key document, and potentially influential.

In this document in the section on p 9 titled *“Future Quality Score without Offset”* you stated – without qualification – that s36 is *“unlikely to have the resources to control the future spread of herbaceous weeds”* [in the then proposed offset area in Unit 4 on Milford] and went on to assert that as a result, *“The Habitat Quality in the offset management area is likely to worsen and so will be given a score of 0 under the criterion for Invasive Ground cover herbs and grassy weeds.”*

The statement that my client is “unlikely to have the resources to control the future spread of herbaceous weeds” is demonstrably false. But this statement is contained in a public document, available for any member of the public to obtain and read. Moreover, the statement was made to DCCEEW, who are ultimately responsible for informing the Federal Minister for the Environment in making her decision about this project proposal, when it is submitted for assessment.

Your assertion is unsubstantiated, and I am instructed, offensive to my client.

As you are also aware from the Monitoring Reports and other information in your possession, the Lewis family have been successfully managing Milford Forest and its 2 Critically Endangered orchids and other Listed species for conservation for 194 years, including Unit 4 which you referred to, without any Government assistance over that entire period. And my client continues to manage Milford, including Unit 4, and such management includes the spread of herbaceous and other weeds.

s36 successfully manages 120ha of Milford, not just Unit 4 (which is approx. 4% of the property) and is the 8th oldest continuously-operating family business in Australia. This known fact also undermines your assertion made to DCCEEW that she lacks the resources to manage Unit 4 for herbaceous weeds, or for conservation as a whole.

s36 commitment to the sound ongoing management of Milford Forest is also publicly known, well documented and unquestioned.

My client requires a written apology from you, and wants the apology to be copied to relevant representatives of DCCEEW. Furthermore, she wants the assertion to be withdrawn.

Also troubling to my client is that you used this unsubstantiated assertion to score s36 ability to manage Unit 4 as a 0. Having done that, you assert the Government

can somehow do better (without any validation of how or at what cost to the taxpayer), and score Government management as 3. You have then used these numbers as part of the calculations to determine the area of a proposed offset on Milford, as follows:

“Future Quality Score with offset”

It is anticipated that the weed management will ensure the existing weed threat is reduced thus increasing the condition score above its current rating. The Habitat Quality in the offset management area is likely to improve and so will be given a score of 3 under the criterion for Invasive ground cover herbs and grassy weeds.”

Thus, your assertion also has the consequence of potentially supporting a different outcome of the offset calculator, potentially to the benefit of DSG and the State.

Milford Forest is amongst the best-managed and most biodiverse areas of orchid habitat in Australia, and scores 90% on the CSIRO’s 2023 LOOC-B biodiversity calculator, which also indicates that even if existing management could somehow be improved, it would have a marginal gain of only 1% by 2045, which is statistically insignificant. The impressive results of my client’s management are published annually in the Milford Forest Annual Orchid Monitoring Reports, copies of which you have, and data for which is in the NVA, and clearly indicate improvements since 2009 when surveys began, and especially since my client took over full management in 2015.

I seek your response to this letter within 7 days, comprising an apology, a withdrawal of the offending representation and confirmation the record has been corrected with DCCEEW.

Yours faithfully,

FITZGERALD AND BROWNE

s36

s36

s36 @fablawyers.net.au

From: s36
To:
Cc: s36
Subject: FW: Meeting Transcript
Date: Monday, 14 August 2023 7:54:00 AM
Attachments: [P.19.0406 Transcription of meeting recording \(Microsoft Word 365\) - V2.docx](#)
[Access to Milford Property for Road Planning and Design Purposes - Draft Process.docx](#)
[P.19.0406 DRAFT Summary of Meeting - Milford - 22 May 2023.docx](#)

Good morning ,

Thanks for your time on the phone on Friday.

Please find attached the following:

- A revised Microsoft 365 transcript of the meeting held at the Milford property on 22 May 2023 with speakers identified (as requested below).

s39

- A *draft* process for future access onto the Milford property for State Growth review and consideration. This is based on a pre-existing process recently released by the department, however is tailored to s36 requests/instructions.

I appreciate that you may not have a chance to review these documents prior to our catch up tomorrow, I can give you an overview if you don't get to them.

Kind regards,

s36

[Redacted]

s36

Associate Stakeholder and Community Engagement Consultant

Mobile s36 | s36 @pittsh.com.au | pittsh.com.au

@stategrowth.tas.gov.au>

Sent: Thursday, 3 August 2023 10:11 AM

To: s36 @pittsh.com.au>

Subject: FW: Meeting Transcript

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

fyi

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Access onto “Milford” property (1431 Tasman Highway, Cambridge) for Road Planning and Design Purposes – Process for Department of State Growth staff and consultants

Description

This process outlines the steps required to gain access to the “Milford” property, located at 1431 Tasman Highway, Cambridge (PID 2865497, C/T 137587/1), owned s36 [REDACTED], for the purpose of undertaking investigations, surveys, or other activities as part of project planning and design.

It covers the process for gaining access to land by owner or occupier consent, but also includes the process for seeking authorisation to enter land under [Section 39 of the Roads and Jetties Act 1935](#) (R&J Act) or [Section 54 of the Land Acquisition Act 1993](#) (LAA).

Assumptions and Dependencies

- Staff and consultants performing this process have access to, and are trained in the use of:
 - the Department’s Electronic Document and Records Management System, Content Manager (CM) (*State Growth staff only*)
 - SR customer relationship management database, Consultation Manager
 - templates and resources in the SR [Stakeholder and Community Engagement Toolkit](#).
- Staff performing this process have access to, and are trained in the use of:

Business Rules

- This process is to be followed for all access to the property unless there is no need for investigations on the property prior to issuing of a Notice of Acquisition.
- A register of requests for access shall be maintained by the project’s Engagement Consultant, including date of request, associated documentation issued or requested, agreed dates of property entry, comments on reason for entry or refusal and general comments as to approval/authorisation or landowner concerns.
- Access to this property must be negotiated with the landowner, and consent provided by the landowner in writing prior to external staff visiting the property.
- If a landowner cannot be contacted despite multiple attempts, or if consent is refused, the Project Manager and the Consultant must re-assess the need to access the land, taking into account relevant factors, including, but not limited to:
 - impact of the activity on the land (e.g. geotechnical investigations that require digging vs surveys that can be done without the need for any invasive actions)

- potential risks if the activities are not undertaken (e.g. additional delays or costs due to unidentified design issues, environmental harm if threatened species habitat is disturbed due to incomplete information, etc.)
- alternative ways to gain the information required without entering the land (e.g. undertaking investigations on neighbouring land).
- any potential or perceived risk to the health and safety of those entering land.

If, after this re-assessment, access is still deemed necessary, the Consultant or Project Manager can seek authorisation to enter the land under the relevant legislative provisions, either Section 39 of the *Roads and Jetties Act 1935* or Section 54 of the *Land Acquisition Act 1993*.

- When deciding on which Act to seek authorisation under, consider the following:
 - If investigations are to specifically inform acquisition plans, use the LAA. If not, the R&J Act allows for entry to:
 - “...*(b) to take any action necessary to monitor and investigate infrastructure and conditions, including subsurface conditions, in respect of the road;*
 - (c) to take any action necessary for the planning, designing or investigating in respect of works to be performed in relation to, or in connection with, the road; ...*”
 - Notice must be given a minimum of 14 calendar days before entering land under the R&J Act and a minimum of 4 calendar days under the LAA.
 - Authorisation under the LAA must be given by the Minister. Authorisation under R&J Act can be given by the Minister’s delegate.
- Consultants seeking authorisation to enter land under either Act must be able to demonstrate that they have made multiple genuine attempts to contact the land owner via all available methods, which could include, but is not limited to:
 - phone call
 - email
 - letter sent via registered mail.
- Authorisations under either Act are made to specific individuals, not the position. However, only the individual overseeing the investigations on the day needs to be authorised as both Acts allow for the authorised person to bring with them any assistants as are required.
- Where access is authorised under either Act, the authorised person must formally give notice to the owner and occupier before entering the land. While the LAA and R&J Act require notice to be given a minimum of 4 calendar days and 14 calendar days (respectively) before entering, notice should be given 14 calendar days before the day of entry.
- If entry under the R&J Act has been authorised for a property that is not occupied and where contact details for the landowner cannot be ascertained, notice can be served by placing the Notice on a gate or fence and waiting the prescribed 14 calendar days before entering.
- Each authorised person must carry photo identification and a copy of the Instrument of Authorisation to confirm their identity and authorisation to enter land.
- Authorisation under Section 54 of the LAA is valid for a period of six months commencing on the day on which the authorisation was given.

- On the day of entry, all persons undertaking the work must follow the property's entry procedures as specified by the property owner (i.e. sign in, induction, etc).
- When entering land, consultants must:
 - minimise the impact on the land, as much as possible
 - make good any damage caused while undertaking the works
 - close gates behind them and generally maintain the security of any property (such as livestock) while on the land
 - adhere to any relevant biosecurity protocols, and, where the land is working farmland, follow any reasonable instructions from workers to protect against the spread of pests, diseases, and weeds.

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PROCESS FLOW

I.1 Entry by Owner Consent

Step	What	Who	How	Docs/Ref
1	Identify Need for Access	Project Manager / Consultant	<ul style="list-style-type: none"> Identify that the “Milford” property needs to be accessed to undertake investigations, surveys, or other planning activities Add request to register 	
2	Contact Property Owner & Request Consent to Enter	Engagement Consultant	<ul style="list-style-type: none"> Make initial contact (preferably via phone call) with landowner in accordance with revised Stakeholder and Community Engagement Plan (SCEP) <ul style="list-style-type: none"> If phone call not possible, make contact via email. Explain need to access the land, including possible impacts <ul style="list-style-type: none"> Confirm what document is required for landowner to provide consent for access (i.e. draft report/scope, JSEA/risk management plan, etc) Record all contact (be it successful or not) in Consultation Manager / Content Manager, as required 	
3	Provide Documentation requested by Landowner	Engagement Consultant	<ul style="list-style-type: none"> Engagement Consultant to coordinate submission of requested documentation to landowner for review and consideration. Confirm the below information: <ul style="list-style-type: none"> Whether owner consents to entry onto the land, and if they wish to request any reasonable conditions of entry, including special access arrangements or preferred time of entry Record contact in Consultation Manager / Content Manager, as required <ul style="list-style-type: none"> If consent to enter land is granted, proceed to Step 4 If consent refused OR owner cannot be contacted despite multiple efforts, go to Step 1 of <i>Process Flow 1.2 Entry Under Legislative Provisions</i> 	
4	Entry onto property	Project Manager / Consultant	<ul style="list-style-type: none"> Touch base with landowner at least 4 business days prior to accessing property to re-confirm entry arrangements On the agreed date of entry, enter property and undertake work Confirm with landowners that investigations are complete 	

5	Record Investigations	Project Manager / Consultant	<ul style="list-style-type: none"> Record the investigation event in Consultation Manager under the property owner/occupant's name. If unable to obtain this information, file under property address instead <p>End process</p>	Consultation Manager
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I.2 Entry Under Legislative Provisions

Step	What	Who	How	Docs/Ref
1	Reassess Need to Access Land	Project Manager / Consultant	<ul style="list-style-type: none"> Re-assess need to enter land, taking into account the relevant risks, per Business Rules <ul style="list-style-type: none"> If access to land deemed absolutely necessary, progress to Step 2 If access to land deemed not necessary or information can be obtained through other means, End Process 	
2	Identify Officers to Authorise	Project Manager / Consultant	<ul style="list-style-type: none"> Determine who will require access to the identified land For each proposed authorised person, note their full name, organisation and position for inclusion in the Instrument of Authorisation. As a minimum include: <ul style="list-style-type: none"> Consultant's Project Manager and Stakeholder Engagement Representative Consultant's technical specialists/subcontractors if required (engineering, survey, geotechnical, environment, heritage) 	
State Growth Project Manager arranges for authorisation under the relevant legislation				
3	Draft and Serve Notice of Intention to Enter	Authorised Person (Consultant)	<ul style="list-style-type: none"> Receive confirmation from Project Manager that authorisation has been obtained Draft Notice of Intention to Enter using template Send out Notice via mail or email (if email address known), noting the applicable timeframes referenced in the Business Rules <p><i>Note: If the property is not occupied, contact details for the landowner cannot be ascertained, and access is authorised under the R&J Act, notice can be served by placing the Notice on a gate or fence and waiting the prescribed 14 days before entering</i></p>	<p>TEMPLATE - Notice of Intention to Enter Property</p> <p>CM File/s under TRANSPORT INFRASTRUCTURE - ASSET MANAGEMENT - PROPERTY (LAND)</p>

4	Entry	Authorised Person (Consultant)	<ul style="list-style-type: none"> • Enter property and undertake work <ul style="list-style-type: none"> ○ If landowner or occupier refuses to allow entry, advise Project Manager immediately and discuss next steps • Confirm in writing with landowners that investigations are complete 	
5	Record Investigations	Project Manager / Consultant	<ul style="list-style-type: none"> • Record the investigation event in Consultation Manager under the property owner/occupant's name. If unable to obtain this information, file under property address instead <p>End process</p>	Consultation Manager

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Summary of meeting

Venue Milford, 1431 Tasman Highway, Cambridge, Tas 7170

Date Monday, 22 May 2023

Time 9:35 am – 12:22 pm

Attendees

- s36 (North Barker Ecosystem Services)
- s36 (OBO Milford)
- s36 (Orchids Tasmania)
- s36 (pitt&sherry)
- s36 (Page Seager)
- s36 (Managing Director, Milford)
(Department of State Growth)
- s36 (pitt&sherry)

Recording [Recording of meeting - Milford - 22 May 2023.m4a](#)

Discussion items are listed below in italics. A dot point summary of the discussion is contained under each item heading.

Item 1: Landowner consent and rights

- Definition of 'consent'.
- Brief overview of historical dealings and reason for mistrust.
- Apology given to landowner on behalf of project team for any previous mistreatment or disrespect.
- Confirmation of preferred contact person for the project moving forward (s36, pitt&sherry).

Item 2: Project timeline

- Discussion regarding Gantt chart for overall project.
- Landowner suggested that information was being withheld from her intentionally.
- Verbal agreement reached on minimum acceptable notification time for access/surveys/investigations on Milford property.
- **ACTION:** s36 to draft internal process for future access requests to Milford property.

Item 3: Request for additional funding for ongoing legal advice from Roland Browne

- Discussion regarding outstanding and ongoing fees for s36 legal services.
- **ACTION: ME to email proposal for future engagement of s36 to OVG.**

Item 4: Management of compensatory planting plot

- Verbal confirmation that plot was separate to land being acquired for project and not part of off-set area.
- Advice received from landowner that lease agreement had not been received from Crown Law.
- **ACTION: s36 to follow up lease agreement with Crown Law.**
- Discussion regarding management plan for plot.
- **ACTION: s36 to follow up on management plan for plot of land in question.**

Item 5: Offset management plan, calculator, and appraisal

- Overview of process and history provided by s36.
- **ACTION: s36 confirm if a copy of the options analysis report drafted by NBEC can be provided to s36.**
- **ACTION: s36 to confirm if a copy of the NVA for the entire SETS program can be provided to s36.**
- Discussion regarding how offset was calculated and scored, and which units would be best utilised for this.
- Enquiry from landowner as to why she had not been involved in the development of previous reports, and request to be involved in future considerations.
- Confirmation that the next orchid plan and survey was nearing finalisation.
- Discussion regarding statement made in previous NBEC report.
- Request for subsequent meeting with State Growth PM and s36 to discuss offset management plan.
- Enquiry regarding potential LIDAR survey.

Actions	Responsibility	Due date
Email proposal for future engagement of s36 at OVG's Office.	s36	Email sent 29 May 2023
Draft internal process for future access requests to Milford property.	s36	12 June 2023
Follow up lease agreement with Crown Law.	s36 / Suk Maan Kong	12 June 2023
Follow up on management plan for plot of land used for compensatory planting plot.	s36	12 June 2023
Confirm if a copy of the options analysis report for the project can be provided to s36.	s36 / Suk Maan Kong	12 June 2023
Confirm if a copy of the NVA for the entire SETS program can be provided to s36.	s36 / Suk Maan Kong	12 June 2023
Seek approval from the department for s36 to meet and discuss offset options	Suk Maan Kong	12 June 2023

Indicative timeline (*all dates in italics to be updated. Program to be provided in Gantt chart format under separate cover.*)

Activity	Estimated time	Target completion date
DCCEEW approve offset assessment methodology	2 weeks	<i>14 February 2023 COMPLETED</i>
Field assessment of Offset	1 week	<i>22 – 31 May 2023</i>
Amend Impact Assessment and prepare Offset Management Plan, revise Orchid Management Plan(s)	4 weeks	<i>30 June 2023</i>
Independent review of Impact assessment and orchid management plans	4 weeks	<i>31 July 2023</i>
Complete Preliminary Documentation	3 weeks	<i>21 August 2023</i>
DAWE approve Preliminary Documentation and direct to publish	3 weeks	<i>13 September 2023</i>
Publication of Preliminary Documentation	1 week	<i>20 September 2023</i>
Advertising period	4 weeks	<i>17 October 2023</i>
Respond to comments	4 weeks	<i>14 November 2023</i>
Amend Documentation and advertise	2 weeks	<i>30 November 2023</i>
DAWE makes recommendation to Minister and Minister's decision	8 weeks	<i>31 January 2024</i>

From:
To: s36
Cc: s36
Subject: FW: Milford: Meeting Transcript - Further inputs required
Date: Friday, 25 August 2023 4:09:00 PM

Hi s36,

Please see below further information requested by in regard to the Milford negotiations.

- The transcript needs to remain as an accurate record of the conversation and so without changing the works please edit out any translation errors.
- Amend the draft process to remove the legislative authority and other items that are contained in our standard process, and have the Milford access process only address the items of difference for s36 to consider as we don't want her seeking legal advice to try and amend our standard process we just want her agreement on the particular arrangements for accessing her property.
- Can we have a Gantt chart that just includes the engagement with s36 and **clearly identifies key decision required from s36 that we can then negotiate with her on the timeframe for those decisions.**
- A draft letter to s36 (for signature) requesting agreement (including upper limit price) on the services to be provide by s36 and other legal and financial advisors and not that we would not consider the letter for s36 to s36 as a reasonable expense to be met by the Department in respect of the acquisition and the EPBCA approval process.
- A timeframe for finalising the lease and the management plan for the off-set area as we need to prioritise weeding and fire hazard reduction activities on that site. -is that the program you previously sent through?

Also please note that work on the Offset Management Plan, Calculator and Appraisal is to halted until further consideration of the option to avoid impacts on the Milford property and thus obviate the need for an offset management plan.

Thanks, enjoy your weekend

| Project Management Team Leader
State Roads | Department of State Growth
Level 2, 4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
Email: @stategrowth.tas.gov.au / MB: s36
www.stategrowth.tas.gov.au

Courage to make a difference through

TEAMWORK | INTEGRITY | EXCELLENCE | RESPECT

In recognition of the deep history and culture of this island, I acknowledge and pay my respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land.

From: s36 [redacted] <s36@pittsh.com.au>
Sent: Monday, 14 August 2023 7:53 AM
To: <s36@stategrowth.tas.gov.au>
Cc: s36 [redacted] >
Subject: FW: Meeting Transcript

Good morning

Thanks for your time on the phone on Friday.

Please find attached the following:

- A revised Microsoft 365 transcript of the meeting held at the Milford property on 22 May 2023 with speakers identified (as requested below).

s39 [redacted]

- A *draft* process for future access onto the Milford property for State Growth review and consideration. This is based on a pre-existing process recently released by the department, however is tailored to s36 [redacted] requests/instructions.

I appreciate that you may not have a chance to review these documents prior to our catch up tomorrow, I can give you an overview if you don't get to them.

Kind regards,

s36 [redacted]

Associate Stakeholder and Community Engagement Consultant
Mobile: s36 [redacted] | s36 [redacted] <s36@pittsh.com.au> | pittsh.com.au

From: <s36@stategrowth.tas.gov.au>
Sent: Thursday, 3 August 2023 10:11 AM
To: s36 [redacted] <s36@pittsh.com.au>
Subject: FW: Meeting Transcript

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

fyi

out of scope

From: |
To: : s36
Subject: Fwd: Management Plan for Compensatory Planting Area at Milford
Date: Monday, 14 August 2023 10:02:09 AM
Attachments: [image001.png](#)
[T-P.19.0406-00-ENV-REP-001-Rev01-RMP.pdf](#)

Hi s36
Here is the mgt plan for the planting area

Sent from my iPhone

Begin forwarded message:

From: s36 @pittsh.com.au>
Date: 26 July 2023 at 08:59:00 AEST
To: @stategrowth.tas.gov.au,
@stategrowth.tas.gov.au>
Subject: Management Plan for Compensatory Planting Area at Milford

Good morning

Here is the Management Plan. The next steps should be for you to obtain s36 agreement for North Barker to carry out the habitat assessment on the offset area in September. A preliminary meeting would be necessary with s36 and her representatives to clarify what she is proposing as an alternate offset area. This can then be considered against the offset guidelines. DCEEW will need some convincing that s36 preferred offset area (Unit 7) is core habitat as it hasn't been identified as such in North Barkers investigations.

Regards

|

s36

Principal Engineer

Mobile s36 | s36 @pittsh.com.au | [Connect on LinkedIn](#)

Hobart Office — Level 1, Surrey House, 199 Macquarie Street
PO Box 94 Hobart Tasmania 7001 | Phone +61 3 6210 1466

Herpittsh.com.au



Revegetation Management Plan

Airport Interchange to Causeway 1 -
Milford Compensatory Planting

Prepared for
Department of State Growth

Client representative

Date
24 July 2023

Rev01



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Prepared by — s36	s36	Date — 24 July 2023
Reviewed by — s36	s36	Date — 24 July 2023
Authorised by — s36	s36	Date — 24 July 2023

Revision History

Rev No.	Description	Prepared by	Reviewed by	Authorised by	Date
A	Draft RMP	s36	s36		16/06/2023
B	Final Draft RMP	s36	s36		22/06/2023
00	RMP for Client	s36	s36	s36	23/06/2023
01	Update RMP post Client review	s36	s36	s36	24/07/2023

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Glossary

Abbreviation	Expansion
AWS	'Australian Weeds Strategy 2017-2027' (IPAC, 2016)
Biosecurity Act	<i>Biosecurity Act 2019</i> (TAS)
Biosecurity Reg	<i>Biosecurity Regulations 2022</i> (TAS)
DNRE	Department of Natural Resources and Environment (TAS)
DP	Deposited plan
DPIPWE	Department of Primary Industries, Parks, Water and Environment (TAS) (former)
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth)
g	gram
ha	Hectare
IPAC	Invasive Plants and Animals Committee, Department of Agriculture and Water Resources (Cth) (former)
LGA	Local government area
m	Metres
m ²	Square metres
NC Act	<i>Nature Conservation Act 2002</i> (TAS)
RMP	Revegetation Management Plan
subsp.	Subspecies
The Contractor	The contractor appointed by the Department to carry out the RMP
The Department	Department of State Growth (TAS)
The Project	Not formal offset, compensatory planting of native vegetation on Lot 1 DP137587
The Site	1 ha of land located in the western section of the cleared portion of Lot 1 DP137587
TNVC	Threatened Native Vegetation Community
TSP Act	<i>Threatened Species Protection Act 1995</i> (TAS)
Wildseed	Wildseed Tasmania
WM Act	<i>Weed Management Act 1999</i> (TAS)
WMP	Weed Management Plan
WoM	Weeds of Melbourne
WoNS	Weeds of National Significance

1. Introduction

pitt&sherry has been engaged by the Department of State Growth (the Department) to prepare a Revegetation Management Plan (RMP) for the compensatory planting located at the Milford property in Cambridge, Tasmania (the Project).

1.1 Background

The Department is proposing to duplicate the Tasman Highway between the Hobart International Airport and Pitt Water Bluff. The duplication will necessitate native vegetation clearance in close proximity to populations of three threatened orchid species listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the Tasmanian *Threatened Species Protection Act 1995* (TSP Act). The orchid species occur within remnant Threatened Native Vegetation Community (TNVC) *Eucalyptus Viminalis – Eucalyptus Globulus* Coastal Forest and Woodland, listed under the Tasmanian *Nature Conservation Act 2002* (NC Act).

Table 1 details the three orchid species and their threatened species status.

Table 1 Threatened orchids

Scientific Name	Common Name	EPBC Act Status	TSP Act Status
<i>Prasophyllum milfordense</i>	Milford leek-orchid	CE	E
<i>Caladenia saggicola</i>	Sagg spider-orchid	CE	E
<i>Caladenia caudata</i>	Tailed spider-orchid	V	V

EPBC Act: CE = critically endangered; V = vulnerable

TSP Act: E = endangered; V = vulnerable

As part of the landowner engagement process, it had been agreed that an area of compensatory planting be provided on the Milford property (Lot 1 deposited plan (DP) 137587). Although not considered a legal offset to the broader Tasman Highway duplication project, the Project was an arrangement made between the Department and the landowner to compensate for the removal of *Eucalyptus viminalis* species that will be lost from the Milford property when the highway works are carried out.

Land rehabilitation contractors, Wildseed Tasmania (Wildseed), have been engaged since 2020 to carry out planting activities and maintain the revegetation for the Project. Past activities have been completed by Wildseed since 2021, while future activities, including the ongoing 10 year maintenance period will be completed by either Wildseed or another contractor appointed by the Department (the Contractor).

1.2 The Project

The Project is located on approximately 1 hectare (ha) of land in the western section of the cleared portion of Lot 1 DP137587 (the Site). The Project involves the planting of locally indigenous species representative of the native vegetation communities in the locality. The Project aims to restore habitat values comparable to the adjacent remnant forest and woodland which supports the three threatened orchid species listed in Table 1, thereby potentially increasing the available habitat for the species.

The location of the Site can be seen in Figure 1.





LOCATION
Milford Compensatory Planting

pitt&sherry

N
0 200 400
Metre

Scale: 1:15,000 @A4

Coordinate System: GDA2020 MGA Zone 55

MAP REF: P-19.0406
s36

REV: A

DATE: 13/06/2023

DATA SOURCES: Aerial imagery from ESRI, Data from theLIST, State of TAS, Project Specific Data

LEGEND

 Site	 Nature Reserve
 Major City	 Public Reserve
 Hobart International Airport	 Local Government Area
 Milford Property	 Cadastral Boundary

Figure 1 Location of Site

1.3 Purpose

This RMP has been prepared by pitt&sherry based on advice provided by Wildseed. The RMP outlines the management measures already implemented by Wildseed since their engagement in 2020 and the proposed management measures to be implemented over the remaining maintenance period.

The RMP is intended to serve as a guide to revegetation management, including weed management, and to achieve the intent of the planting objectives and design. The RMP is reflective of best practice weed management at the time of writing. It is recommended that the RMP be reviewed and updated as required to continue to reflect best practice weed management over the course of the 10-year maintenance period.

1.4 Scope

The scope of the RMP includes:

- Weed management
- Replacement planting; and
- Watering maintenance.

1.5 Objectives

The objectives of the RMP are:

- Manage and enhance existing plants and re-establish plants that have not survived
- Provide control measures for identified weeds within the Site
- Minimise the risk of introducing new weeds and associated pathogens to the Site
- Minimise the risk of introducing weeds from the Milford property establishing and spreading to the Site
- Establish an ongoing monitoring and control program for weeds within the Site; and
- Ensure that future rehabilitation works within the Site are not compromised by the growth of weeds or associated pathogens.

2. Legislative Requirements

2.1 State

The control and management of weeds in Tasmania is governed by the *Biosecurity Act 2019* (Biosecurity Act) and regulated by the *Biosecurity Regulations 2022* (Biosecurity Reg). The Biosecurity Act and Biosecurity Reg replaced the *Weed Management Act 1999* (WM Act) and the *Weed Management Regulations 2017* which were the previously governed the management of weeds in Tasmania.

Under section 8 of the Biosecurity Act, a weed is defined as a plant that is a pest. Objects of the Biosecurity Act outline that biosecurity is a shared responsibility between government, industry and the community to protect Tasmania from pests, diseases and other biosecurity matters.

The Biosecurity Reg provides the regulatory framework for the Biosecurity Act by aligning the technical requirements under the repealed legislation with the relevant sections of the Biosecurity Act. Under section 29(a) of the Biosecurity Reg, a 'declared pest' includes declared weed species within the meaning of the repealed WM Act that have not been declared prohibited matter. The WM Act included 143 declared weed species.

Statutory weed management plans (WMPs) and Control Guides were prepared under the WM Act for declared weed species. Under section 38(1) of the Biosecurity Reg, these Statutory WMPs are now considered Government biosecurity programs implemented by the Secretary in accordance with section 136 of the Biosecurity Act and as such, are still in force. The Statutory WMPs include restrictions and measures required to control, eradicate or restrict the spread of the declared weed. The Statutory WMPs classifies municipalities into two management zones:

- Zone A – eradication:
Municipalities that are either free of the declared weed or are limited to localised small infestations and are deemed to be eradicable. Therefore, the objective is the eradication of infestations; and
- Zone B – containment:
Municipalities which host moderate or large infestations of the declared weed that are not deemed eradicable because the feasibility of effective management is low at the time. Therefore, the objective is containment of infestations. This includes preventing spread of the declared weed from the municipality or into properties currently free of the weed or which have developed or are implementing a locally integrated weed management plan for that species. Additionally, there is a requirement to prevent spread of the weeds to properties containing sites for significant flora, fauna and vegetation communities.

Management of declared weeds should be in accordance with its associated Statutory WMP and incorporate management measures outlined in its associated Control Guide.

A list of non-declared weed species is also available through the Department of Natural Resources and Environment (DNRE). Control Guides have been developed for non-declared weed species and should be taken into account when developing RMPs.

2.2 Commonwealth

The 'Australian Weeds Strategy 2017-2027' (AWS) (IPAC, 2016) provides a national framework for addressing weed issues whilst maintaining the profitability and sustainability of Australia's primary industries and reducing the impact of weeds on the environment. The AWS (IPAC, 2016) outlines the roles and responsibilities landholders and land users, government, industry, community and natural resource management bodies have towards national weed management.

The AWS (IPAC, 2016) includes a list of Weeds of National Significance (WoNS) which includes 32 weed species which have been identified based on their invasiveness, potential for spread and environmental, social and economic impacts. WoNs should be managed in accordance with the AWS.

3. Site Description

The Site is made up of approximately 1 ha of land in the western section of the cleared portion of the Milford property (Lot 1 DP137587) as shown in Figure 2.

The Milford property is approximately 118 ha and is situated between Pittwater Road and the Tasman Highway in Cambridge, TAS within the City of Clarence local government area (LGA). Approximately 50% of the property is cleared for agriculture and commercial landscaping, while the other 50% is made up of remnant vegetation and wetland ecosystems. The property is bordered by the Pitt Water Bluff to the east and is separated from the Hobart International Airport by Pittwater Road to the west (Figure 1).

Within the Milford property and adjacent to the north and west of the Site, is TNVC *Eucalyptus Viminalis* – *Eucalyptus Globulus* Coastal Forest and Woodland while adjacent to the south and east have been cleared for agriculture. The remnant vegetation adjacent to the Site supports three threatened orchid species as outlined in Table 1. The Site itself has historically been cleared and used for agriculture.

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Tasmanian Government

SITE
Milford Compensatory Planting

pitt&sherry

MAP REF: P.19.0406
\$36
REV: A
DATE: 13/06/2023
DATA SOURCES: Aerial Imagery from ESRI, Data from theLIST, State of TAS, Project Specific Data

Coordinate System: GDA2020 MGA Zone 55
Scale: 1:1,000 @A4
0 10 20 30 Metre

LEGEND

- Site
- Milford Property
- Cadastral Boundary
- Threatened Native Vegetation Communities 2020
- 23: Eucalyptus viminalis - Eucalyptus globulus coastal forest and woodland

Threatened Flora

- Spider-orchid (*Caladenia caudata x saggicola*)
- Milford Leek-orchid (*Prasophyllum milfordense*)
- Sagg Spider-orchid (*Caladenia saggicola*)
- Tailed Spider-orchid (*Caladenia caudata*)

Figure 2 Threatened flora species surrounding the Site

3.1 Fencing and Site Preparation

Vermin-excluding fencing around the Site was installed in April 2021. The vermin excluding fencing has been positioned five metres (m) from the existing northwest and southwest paddock fences of the Milford property. The fencing includes two 3.6 m wide gates and is offset from the existing paddock fencing to ensure possums are prevented entry into the Site via overhanging shrubbery. Sheep can be grazed in the resulting strips between the Site fences and the paddock fences as a means of maintenance. These strips currently show evidence of reasonably robust native understorey recolonisation.

Prior to native vegetation planting, the Site was de-compacted by sub-surface ripping. Disturbance to the Site was kept to a minimum. Following fence installation and de-compaction, site preparation was limited to spot spraying of proposed planting locations and/or weed outbreaks as required.

3.2 Native Planting

Since 2020, Wildseed has been engaged to undertake the Project. Native planting first started in spring 2021, after the fencing and site preparation, with the planting of 200 individual Coastal Manna Gum (*Eucalyptus viminalis* subsp. *pryoriana*). Mass planting of shrub, groundcover and understorey species was delayed until May to August 2022 due to unexpected La Nina climate conditions during 2021 impacting soil and plant growth conditions which affected available tubestock and Site conditions.

The layout of the plantings intentionally avoided the use of straight lines in planting or in bed design to avoid creating a sense of a plantation. All native plants were grown from tubestock from locally sourced genetics. The seeds of Coastal Manna Gum (*Eucalyptus viminalis* subsp. *pryoriana*) were collected from a single tree that was removed from the boundary of Hobart International Airport. Tubestock were planted with water crystals, one 10 gram (g) fertiliser tablet per plant and marked with a hardwood stake.

A full list of native plant species planted by Wildseed since 2021 is provided in Table 2. A schedule of the plantings is provided in Table 3.

Table 2 Native plant species planted on Site since 2021

Scientific Name	Common Name
Trees	
<i>Eucalyptus viminalis</i> subsp. <i>pryoriana</i>	Coastal Manna Gum
Shrubs	
<i>Acacia dealbata</i>	Silver Wattle
<i>Acacia mearnsii</i>	Black Wattle
<i>Acacia verticillata</i>	Prickly Moses
<i>Allocasuarina littoralis</i>	Black Bull Oak
<i>Cassinia aculeata</i>	Dolly Bush
<i>Daviesia sejugata</i>	Disjunct Bitter Pea
<i>Dodonaea viscosa</i>	Native Hop
<i>Indigofera australis</i>	Native Indigo
Ground Covers and Understorey	

Scientific Name	Common Name
<i>Carpobrotus rossii</i>	Pigface
<i>Dianella brevicaulis</i>	Short Stem Flax Lily
<i>Lomandra longifolia</i>	Spiny-head Mat-rush
<i>Poa poiformis</i>	Coastal Tussock
<i>Rhagodia candolleana</i>	Coastal Saltbush
<i>Tetragonia implexicoma</i>	Bower Spinach

Table 3 Completed planting schedule

Activity	Timing	Responsibility
Fencing and site preparation	August 2021	Wildseed
Seed collection and sowing	October 2021	Wildseed
Vegetative propagation	October 2021	Wildseed
Planting of Coastal Manna Gum (<i>Eucalyptus viminalis</i> subsp. <i>pryoriana</i>)	Spring 2021	Wildseed
Planting of shrubs, groundcover and understorey	May to August 2022	Wildseed

In 2021, Wildseed completed two manual weeding regimes of the Site after the initial planting of Coastal Manna Gum (*Eucalyptus viminalis* subsp. *pryoriana*). These weeding regimes included removal of seasonally inactive weeds on the Site in preparation for the mass planting in May to August 2022. Since then, although the Coastal Manna Gum (*Eucalyptus viminalis* subsp. *pryoriana*) planting was established, the other native plantings were less successful due to unexpected climate events.

Further, La Nina conditions during 2022 caused a prolonged period of flooding in and around the Site, resulting in losses of planted stock in one corner. The wet weather also greatly promoted the growth of weeds and pasture species which were further aided by the mortality of a couple of thousand Coastal Saltbush (*Rhagodia candolleana*) seedlings during winter frosts.

Therefore, re-establishment as outlined in Section 5.1.2 is proposed.

3.3 Weeds

Since 2020, Wildseed has identified at least eight weed species on the Site and on the Milford property. The weeds present at the Site are also present in the adjacent native remnant vegetation. Of the identified species, Cut-leaf Nightshade (*Solanum triflorum*) is a declared weed under the WM Act and should be managed in accordance with its Statutory WMP. None of the weeds identified are classified WoNs.

Table 4 details the weed species recorded within the Site and on the Milford property.

Table 4 Weed species identified on Site

Scientific Name	Common Name	WoNs	WM Act Status	Statutory WMP / Control Guide	Presence
<i>Arctotheca calendula</i>	Capeweed	-	Non-declared	Control Guide	Within Site
<i>Elytrigia repens</i>	Rope Twitch / English Couch Grass	-	Non-declared	Control Guide	Within Site
<i>Freesia alba x Freesia leichtlinii</i>	Freesia	-	Non-declared	-	Outside Site but within Milford property
<i>Rumex acetosella</i>	Sheep Sorrel / Dock	-	Non-declared	Control Guide	Within
<i>Solanum triflorum</i>	Cut-leaf Nightshade	-	Declared	Statutory WMP and Control Guide	Within
<i>Hypochaeris radicata</i> , <i>Taraxacum</i> spp., <i>Picris</i> spp., etc	General flat weeds including: Cat's Ear, Dandelion and Oxtongue, etc.	-	Non-declared	-	Within

3.3.1 Cut-leaf Nightshade

Cut-leaf Nightshade (*Solanum triflorum*) is native to North America and has become a weed of cultivation and disturbed sites. In Tasmania, Cut-leaf Nightshade can be found in the Seven Mile Beach area and prefers sunny positions with well drained soils. The weed can be found growing on dunes, recreational areas, along roadsides and in stock yards.

Cut-leaf Nightshade can infest a variety of crops such as potatoes, where it may be difficult to control. All parts of the plant are toxic to mammals. The weed is also a host for the tomato spotted wilt virus.

Positive identification or suspected presence of Cut-leaf Nightshade requires reporting to Biosecurity Tasmania.

Table 5 outlines the Statutory WMP municipality management zone applicable to Cut-leaf Nightshade.

Table 5 Cut-leaf Nightshade municipality management zone (DPIPWE, 2011)

Scientific Name	Common Name	Municipality	Distribution ⁺	Management Measures
<i>Solanum triflorum</i>	Cut-leaf Nightshade	Clarence	Localised infestations*	Implement integrated control program for eradication and prevent future occurrences

+ Distribution refers to naturalised populations of the plant only

* Localised infestations: the species is present in the municipality in moderate proportions, with populations numbering several. The number of plants is also moderate and/or populations cover moderate-sized areas.

4. Risks from Weeds

Weeds pose a significant risk to the Project and the wider environment. Weeds, including pasture species, can outcompete the native plantings and prevent the Site from restoring habitat values which support the three threatened orchid species.

As the Site has historically been cleared and used for agriculture, it is subject to a variety of weeds and pasture species. The lack of native vegetation on the Site prior to the Project, provided weed species with open space with little resource competition. Weeds on the Site could have been transported by agricultural plants and machinery, vehicles, humans, animals and natural elements from many other locations including other parts of the Milford property.

Upon engagement, Wildseed identified that although vermin excluding fencing would prevent damage to the native plantings from grazing fauna species, it would also prevent grazing of weed species. The weeds located within the native remnant vegetation adjacent to the Site are suppressed by grazing fauna and/or competition. The lack of weed grazing on the Site meant that during the initial establishment period, pasture weed species posed a significant threat to the success rate of the Project.

Wildseed determined that blanket spraying herbicide on the entire Site would likely result in massive weed regrowth and deposition of weed seeds, hence planting sites were spot sprayed individually in preparation for planting.

Management and maintenance measures to minimise the risk from weeds to the Project are outlined in Section 5.

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5. Management and Maintenance Measures

5.1 Propagation and Planting Methodology

5.1.1 Selection

To meet the aim of the Project and increase successful establishment of the native plantings, a selective process was adopted to ensure the survival of the “fittest” individuals. The selective process would eliminate the individuals that would have likely been unsuccessful at surviving long term climate conditions and/or outcompeting weed species. The selective process involved:

1. Selecting best material to take at vegetative propagation stage
2. Selecting best seeds/fruits to harvest at seed collection stage
3. Rejecting runts, hybrids and other poor performing seedlings at pricking-out and potting-on stage
4. Rejecting unsuitable individuals at planting stage; and
5. Over-planting and water stress at planting stage.

At planting stage, the tree species were over-planted at the Site to further ensure the survival of the “fittest” individuals with the expectation that the “weaker” individuals would not survive. The native plantings were also subjected to water stress to mimic natural long term climate conditions. This methodology prevented artificially sustaining the plants and favoured the “fittest” individuals which would survive long term climate conditions and were more likely to outcompete weed species.

Native plant species were also selected based on “aggressiveness” of the species. More “aggressive” species were chosen for the shrub and groundcover plantings with the hopes that the nature of the native species would at least match the weed re-incursion. Ideally, with their “aggressive” nature, the native shrub and groundcover would rapidly be able to convert the Site from pasture to predominantly native and keep the weed species to a minimum.

5.1.2 Re-establishment

Following the 2021 and 2022 climate events that have impacted the success of the Project, re-establishment of the shrub and groundcover layers at the Site is necessary. Replacement of Coastal Saltbush (*Rhagodia candolleana*) is fundamental to the conversion of the Site from pasture to native vegetation.

Re-establishment will entail re-planting unsuccessful species by capitalising on the successful plantings and planting the previously unsuccessful ones around the successful ones. These planting “islands” will be sprayed for weeds and will allow for more efficient control of weed species. It is anticipated that the “islands” will expand and develop until they join up. Additional plantings may be required to help fill the gaps, however, these will be more strategic and more cost effective than implementing another mass planting.

Re-establishment planting will be completed in October 2023 under predicted El Nino climate conditions which favour native species. As per the existing planting, the re-establishment would be over-planted to offset the mortality of the “weaker” individuals. It is expected that a 70% survival rate within the first three years of planting is acceptable and further plantings may not be necessary (refer Section 5.5).

5.2 Weed Management

Two methods are proposed for weed management on the Site. Section 5.2.1 outlines general weed management recommendations to be implemented across the Site. Section 5.2.2 outlines targeted management recommendations for the identified weeds listed in Table 4 based on respective Statutory WMPs and Control Guides.

5.2.1 General

Reafforestation

- Weed suppression

The preferred method for weed management is to suppress them through the planting of native species. Native shrubs and groundcover have been planted with the aim of preventing weed and pasture species from growing. "Aggressive" species have been chosen as they are less likely to be outcompeted by weeds. The strongest and "fittest" individuals have been selected based on Section 5.1.1 and planted to maximise long term success rate.

Re-establishment planting as outlined in Section 5.1.2 would be completed in October 2023 under predicted El Niño climate conditions which favour native species. Should unexpected climate conditions occur, re-establishment may be delayed until optimum conditions are present. Should re-establishment be unsuccessful (refer Section 5.5), a new re-establishment methodology will be developed by the Contractor.

Manual

- Brush Cutting

A brush cutting regime will be applied during the next scheduled maintenance visit. The brush cutting will be undertaken across the entire Site by the Contractor to identify the successful plantings and prepare the Site for re-establishment planting as outlined in Section 5.1.2. Brush cutting will also reduce fire risk at the Site.

Brush cutting may be required at each maintenance visit dependent on the state of weed and pasture overgrowth.

- Hand Weeding

Hand weeding includes weed removal immediately adjacent to the successful native plantings to minimise herbicide contact with the individuals.

Chemical

- Herbicide Spraying

Herbicide spraying will be undertaken by the Contractor across the Site during the biannual maintenance activities. Liberal spraying will be implemented in the southern end of the Site due to greater presence of weeds. Selective spraying will be implemented in the northern end of the Site due to greater presence of native grasses.

Targeted spraying will be undertaken for Capeweed (*Arctotheca calendula*) and Cut-leaf Nightshade (*Solanum triflorum*). Targeted spraying will also be undertaken for the maintenance of the successful planting "islands". A buffer will be sprayed around the "islands" to ensure the success of the re-establishment planting and encourage the native plantings to spread.



Consultation with the landowner ruled out the use of Glyphosate based herbicides and established that Gluphosinate based herbicides be used instead for spraying. Gluphosinate herbicides are less potent than Glyphosate herbicides and may be less effective for weed removal. Therefore, frequency of spraying may need to be increased and should be assessed during the next review of the RMP.



DNRE also have a list of suggested herbicides and their recommended application method for four of the weeds identified on Site (refer to Table 6).


5.2.2 Targeted

Table 6 outlines the recommended weed management measures to be implemented to minimise weeds identified on Site listed in Table 2.

Table 6 Targeted weed management recommendations

Name	Image	Description	Presence	Management	Timing
Capeweed (<i>Arctotheca calendula</i>)	 <p>(myhomeTURF, 2023)</p>	<p>Autumn-germinating annual plant, with seedlings appearing from late February to late April. As plants mature they develop into a rosette, or whorl of leaves close to the ground. The rosettes can be identified by the undersides of the leaves which are whitish and covered by a thick mat of short hairs. Flowering occurs in late spring and early summer; the masses of yellow, daisy-like flowers with dark, almost black centres are conspicuous from a considerable distance. Capeweed dies off in late summer. (DNRE, 2022b)</p>	Within Site	<ul style="list-style-type: none"> • Spot spray individuals • Hand weed individuals immediately adjacent to native plantings • Additional management techniques can be found in Capeweed Control Guide (DNRE, 2022b); and • DNRE recommended herbicides can be found in Herbicides for Capeweed Control (DNRE, 2019a). 	Twice annually - in autumn during germination period and in late winter/early spring prior to flowering
Rope Twitch / English Couch Grass (<i>Elytrigia repens</i>)	 <p>(Dimitrovski, 2022)</p>	<p>In pastures and mown areas rope twitch sometimes assumes a prostrate habit and may not produce flowering stems. Erect, perennial grass with an extensive root system with numerous rhizomes. The rhizomes are white in colour and may be several metres long. Shoots and roots develop from nodes along the rhizome. The leaves are medium to light green in colour and are finely pointed at the tips. In cross section the leaf forms a flat "V". The flowers consist of spikelets arranged alternately in two rows, one on each side of the stem. (DNRE, 2022e)</p>	Within Site	<ul style="list-style-type: none"> • Liberal spraying in the southern section of the Site • Selective spraying in the northern section of the Site • Hand weed individuals immediately adjacent to native plantings • Additional management techniques can be found in Rope Twitch Control Guide (DNRE, 2022e); and • DNRE recommended herbicides can be found in Herbicides for Rope Twitch Control (DNRE, 2019c). 	Twice annually – in summer and autumn

Name	Image	Description	Presence	Management	Timing
<p>Freesia (<i>Freesia alba</i> x <i>Freesia leichtlinii</i>)</p>	 <p>(WoM, 2018)</p>	<p>A small plant growing each year from underground 'bulbs' with strap-like elongated leaves that are mostly clustered together at the base of the plant. The slender flowering stems are upright but bent horizontally just below the flowers. Sweetly scented tubular flowers are white or cream in colour with purplish and yellow markings and six 'petals' with rounded tips that are partially fused together. It has small green capsules with a rough or wrinkled surface texture. (Lucidcentral, 2016)</p>	<p>Outside Site but within Milford property</p>	<ul style="list-style-type: none"> • Monitor Site for individuals; and • Hand weed individuals, including removal of underground 'bulbs' if found. 	<p>Twice annually – in summer and autumn</p>
<p>Sheep Sorrel / Dock (<i>Rumex acetosella</i>)</p>	 <p>(Clements, 2013)</p>	<p>Perennials and develop a deep tap root. The leaves are broadly spear-shaped, pointed at the tip with a wavy leaf margin. The stem is solid with longitudinal grooves. Several stems can be grown from a single base, with branching occurring towards the top. Green flowers form in clusters and the seeds are found in a three-winged reddish-brown fruiting body. Usually germinate in autumn and develop into rosettes through the winter. A flowering stem emerges in spring and the seed matures through summer. The stems usually die back during autumn and the plants over-winter as rosettes. (DNRE, 2022d)</p>	<p>Within Site</p>	<ul style="list-style-type: none"> • Liberal spraying in the southern section of the Site • Selective spraying in the northern section of the Site • Hand weed individuals immediately adjacent to native plantings • Additional management techniques can be found in Dock Control Guide (DNRE, 2022d); and • DNRE recommended herbicides can be found in Herbicides for Dock Control (DNRE, 2022a). 	<p>Twice annually – in autumn during germination period and in winter prior to flowering</p>

Name	Image	Description	Presence	Management	Timing
Cut-leaf Nightshade (<i>Solanum triflorum</i>)	 <p>(Stajsic, 2018)</p>	<p>Sprawling non-woody plant. The stems and lobed, toothed leaves are sparsely hairy and without spines. The flowers are white to pale purple, often in clusters of three on short stalks, and the fruits are a marbled-green berry. Cut-leaf nightshade flowers in summer, fruiting extends from summer through to autumn and seeds are ripe by early autumn. Germination occurs in autumn and winter. (DNRE, 2022c)</p>	Within Site	<ul style="list-style-type: none"> • Report to Biosecurity Tasmania (03) 6165 3777 • Spot spray individuals • Hand weed individuals immediately adjacent to native plantings • Additional management techniques can be found in Cut-leaf Nightshade Control Guide (DNRE, 2022c) and the Cut-leaf Nightshade Statutory WMP (DPIPWE, 2011); and • DNRE recommended herbicides can be found in Herbicides for Cut-leaf Nightshade Control (DNRE, 2019b). 	Twice annually – in late autumn/early winter during germination period and in spring prior to flowering
General flat weeds		<ul style="list-style-type: none"> • Cat's Ear (<i>Hypochaeris radicata</i>) • Dandelion (<i>Taraxacum</i> spp.) • Oxtongue (<i>Picris</i> spp.) • etc. 	Within Site	<ul style="list-style-type: none"> • Liberal spraying in the southern section of the Site • Selective spraying in the northern section of the Site; and • Hand weed individuals immediately adjacent to native plantings. 	Twice annually – in summer and autumn

5.3 Maintenance

Maintenance of the Project involves carrying out weed management as outlined in the RMP and general attendance to the native plantings including watering. Attention should be given at maintenance to eradicate herbaceous and woody weeds as far as practicable to reduce regrowth and increase success rate of the Project.

Quarterly site inspections will be undertaken by the landowner to report on adverse conditions, weed growth and native plant losses.

Maintenance visits will be undertaken by the Contractor twice annually. Resource requirements for this work will be determined based on prior inspections to inform the level of work required. Additional maintenance visits resulting from unexpected circumstances and consultation with the Contractor may be arranged at the discretion of the Department.

The maintenance period will be for 10 years starting from 2021 when the first native planting occurred.

5.4 Timeline

Management and maintenance measures for the Project are to be completed as outlined in Table 7.

Table 7 Proposed timeline for weed management and maintenance of the Project

Activity	Timing	Responsibility
Re-establishment plantings	October 2023	Wildseed
Weed management (refer to Section 5.2)	Twice annually for 10 years as outlined in Table 6 or as required by the Department	The Contractor
Maintenance - re-planting losses	As required	The Contractor
Regular inspection and reporting of adverse conditions, weed growth and plant losses	Quarterly	Landowner

5.5 Completion Criteria

During revegetation, it is expected that some plantings will not survive. Mortality rate can be influenced by a number of variables including plant quality and environmental conditions. Therefore, at planting stage, the tree species were over-planted at the Site to offset the individuals that would not survive.

Plantation density is normally 625 tree stems/ha and the Site was planted with 400 tree stems, far above natural density. As the Site was purposely over-planted beyond the sustainability of the Site, it is predicted that by year 3, a 30% mortality rate for the native plantings would be acceptable and by the end of the 10 year period, the Project would be considered successfully completed based on a 50 to 60% mortality rate.

6. References

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- IPAC. (2016). *Australian Weeds Strategy 2017-2027*. Canberra: Invasive Plants and Animals Committee, Department of Agriculture and Water Resources.
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Revegetation Management Plan

Airport Interchange to Causeway 1 - Milford Compensatory
Planting

**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



Released under RTI

From: |
To:
Subject: Fwd: Tasman Highway - Airport Interchange to Midway Point - Change Orders
Date: Tuesday, 1 August 2023 10:05:25 AM
Attachments: [image001.png](#)
[P.19.0406.020 - Ongoing EPBC Approval Costs.pdf](#)
[P.19.0406.021 - Options to Minimise Impact on Milford.pdf](#)

Hi

Change orders as below. If you approve the EPBC one quickly we won't have to resubmit the invoice.

Regards

s36

Sent from my iPhone

Begin forwarded message:

From: s36 [redacted]@pittsh.com.au>
Date: 28 July 2023 at 07:31:00 AEST
To: @stategrowth.tas.gov.au
Subject: Tasman Highway - Airport Interchange to Midway Point - Change Orders

Good morning

Attached please find change orders for ongoing costs associated with the EPBC approval and the design investigation to minimise impacts on Milford. Estimated costs for the EPBC are \$89k and you would be well aware of the complications and unknowns associated with this. Costs to date for environmental work on this project are approximately \$340k. We have been on this for almost 4 years and current program does not envisage obtaining the approval before July next year. For the realignment near Milford we have allowed 3 weeks work for our designer to review the options to limit the impact. Hopefully the work can be achieved in less time than this, however we need to be sure that any proposed changes can be implemented. Clearly if the design changes do stack up and impacts on other properties can be managed and agreed to by stakeholders we may be in a position to curtail the environmental works on Milford and an EPBC approval may not be required. I assume that for the time being we continue on both fronts. If the revised alignment ultimately stacks up redesign costs will be considerable.

Regards

|
s36

Principal Engineer

Mobile s36 | s36 @pittsh.com.au | [Connect on LinkedIn](#)

Hobart Office — Level 1, Surrey House, 199 Macquarie Street
PO Box 94 Hobart Tasmania 7001 | Phone +61 3 6210 1466

pittsh.com.au

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P.19.0406.020 Tasman Highway – Airport Interchange to Midway Point Causeway – Ongoing EPBC Approval Costs



Date	27 July 2023
Client	Department of State Growth
Client Representative	
Contact Details	@stategrowth.tas.gov.au
pitt&sherry Representative	s36
Contact Details	s36 @pittsh.com.au s36
Revision	Rev00

1. Background

Advice has been received from DCCEEW that an Offset is required to account for the impact of the proposed Tasman Highway upgrade on the threatened orchid species on the Milford property. Further field work is necessary to assess the habitat of suitable offset area(s). Following the habitat assessment an Offset Strategy and Offset Management Plan must be prepared for endorsement by the landowner and approval by DCCEEW. Results of the habitat assessment and the information from the most recent orchid survey, planned for September 2023, then need to be added to existing Preliminary Documentation and the entire submission reviewed and updated for assessment by DCCEEW. This Change Order covers the anticipated activities to obtain the EPBC Approval for the project.

2. Scope of services

- i. Prepare assessment methodology for the offset area(s), noting that Unit 4 has been proposed and the landowner has a preference for Unit 7. Unit 7 has not been recognised as core orchid habitat and may not be acceptable to DCCEEW.
- ii. Review methodology and approach for habitat assessment with landowner
- iii. Obtain endorsement for methodology with DCCEEW
- iv. Carry out habitat assessment

- v. Prepare Offset Strategy and Offset Management Plan for review by landowner/independent reviewer
- vi. Incorporate habitat assessment and latest orchid survey results into Preliminary Documentation
- vii. Update all Preliminary Documentation to reflect current project status
- viii. Submit Preliminary Documentation
- ix. Publish Preliminary Documentation when directed by DCCEE, respond to public comments (if required), amend documentation in response to public comments (if required) and resubmit documentation for Department and Ministerial Approval.

3. Deliverables

Offset Strategy, Offset Management Plan, Preliminary Documentation.

4. Client responsibilities

Negotiation with landowner to obtain approvals, noting that Pitt & Sherry/North Barker will discuss technical matters with the owner to the extent permitted.

5. Program

In accordance with Milford EPBC Approval Rev 01 Gant Chart with key milestones

Field assessment of Offset Area – 30th September 2023

Complete Documentation – 15th December 2023

Landowner approval of Offset Strategy and Offset Management Plan – 15th January 2024

Submit preliminary Documentation - 30th January 2024

6. Project team

Project Manager – s36

Environmental Scientist – s36

Environmental Consultant – North Barker, s36

7. Conditions of Engagement

Contract 3100.

8. Fee Structure:

Work will be carried out on a time and expense basis with an estimated cost of \$89,722 plus GST. The fee estimate is attached.

SIGNED for and on behalf of pitt&sherry:

SIGNED for and on behalf of the Client:

s36



Signature of Authorised Representative

Signature of Authorised Representative

Name of Authorised Representative

Name of Authorised Representative

Date 27/07/2023

Date Click or tap to enter a date.

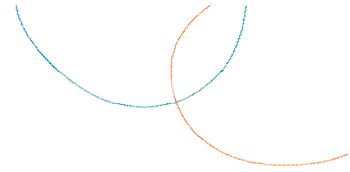
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Task name	Project category	Description	Transaction type	Quantity	Unit price	Net amount
Ongoing EPBC Approval Costs	C3_ECons	Experienced Consultant	Hour	120.00	s38	
Ongoing EPBC Approval Costs	P7_SPEng	Senior Principal Professional	Hour	80.00		
Ongoing EPBC Approval Costs	T4_STech	Senior Technical Officer	Hour	20.00		
Ongoing EPBC Approval Costs	Sub_cons	North Barker	Expense	1.00		
P.19.0406.020 Total						\$89,722

Released under RTI

P.19.0406.020 Tasman Highway – Airport Interchange to Midway Point Causeway – Options to Minimise Impact on Milford

Date	27 July 2023
Client	Department of State Growth
Client Representative	
Contact Details	@stategrowth.tas.gov.au
pitt&sherry Representative	s36
Contact Details	s36 @pittsh.com.au s36
Revision	Rev00



1. Background

The Department of state Growth has requested Pitt & Sherry to investigate design options for the highway upgrade that could avoid impact on the threatened orchid species on the Milford property

2. Scope of services

- i. Modify highway to move the alignment approximately 14 metres to the north to avoid impact on the orchid habitat
- ii. Identify geometry changes to limit corresponding impact on the Tasmania Golf Club to not more than 10 metres and avoid impact on Barilla property if possible. Changes to consider – retaining walls to reduce width of earthwork, reduction of shoulders to 1 metre, move cyclepath to service roads.
- iii. Carry out sufficient 3D modelling to confirm that impacts to properties on the northern side can be limited to minimum extent.
- iv. 3D modelling to verify that room exists for service relocations, match-in to existing for Golf Club service road, drainage paths remain unchanged and designed stormwater system remains viable noting extremely flat grades in the vicinity of the realignment.

- v. Review turning paths to ensure design vehicle can be accommodated on modified service roads
- vi. Scope out the changes to impacted properties – Milford and Airport (both reduced), Barilla Bay (any additional impact to be confirmed), Tasmania Golf Club (increased)

3. Deliverables

Concept design information including revised property boundaries, and summary of revised impact on affected properties.

4. Client responsibilities

Not applicable.

5. Program

Advice to be provided by 16th August 2023.

6. Project team

Project Manager/Design Engineer – s36

Design technician – s36

Design review – s36

7. Conditions of Engagement

Contract 3100.

8. Fee Structure:

Work will be carried out on a time and expense basis with an estimated cost of \$27,970 plus GST. The fee estimate is attached.

SIGNED for and on behalf of pitt&sherry:

s36

Signature of Authorised Representative

SIGNED for and on behalf of the Client:

Signature of Authorised Representative

Name of Authorised Representative

Date 27/07/2023

Name of Authorised Representative

Date Click or tap to enter a date.

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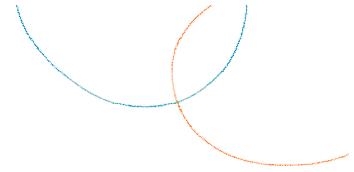
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Task name	Project category	Description	Transaction type	Quantity	Unit price	Net amount
Options to reduce impact on Milford	T4_Tech	Experienced Consultant	Hour	120.00	s38	
Options to reduce impact on Milford	P7_SPEng	Senior Principal Professional	Hour	20.00		
Options to reduce impact on Milford	P7_SPEng	Senior Technical Officer	Hour	20.00		
P.19.0406.021 Total						\$27,970

Released under RTI

From: [REDACTED]
To: [REDACTED]
Subject: East Sussex Highway - Potential New Boundaries
Date: Tuesday, 3 September 2014 at 14:28:00
Attachments: [REDACTED]

[REDACTED]

[REDACTED]

Sent from my iPhone

Begin forwarded message:

out of scope

From: s36
To:
Subject: Fwd: Tasmania Golf Club
Date: Wednesday, 16 August 2023 4:51:00 PM
Attachments: [CGDG comments re highway revision.pdf](#)

Hi
Formal response for discussion with the Golf Club

Regards

s36

Sent from my iPhone

out of scope



Mr s36

Principal Engineer, Pitt and Sherry

s36 @pittsh.com.au

16th August 2023

Dear s36,

Re: Tasman Highway redesign option – confidential

I have reviewed the revised Tasman Highway design that proposes a realignment of a 400 metre long section of the upgraded Highway in the vicinity of Pittwater Road.

I have placed the new design onto the current design for the revised golf holes at the Tasmania Golf Club (the Club). As you are aware, the impact of the redesign is that an additional portion of the Club's property will need to be acquired, with the new boundary moved up to 10 metres further into the Club's property. The 400 metre section is adjacent to the Club's existing 16th hole and the new boundary will run along what is presently the 16th hole's fairway.

The new design for the 16th hole moves the entire golf hole approximately 80 metres to the west and the new hole plays through the area where the Club's existing water storage lake is sited. As you know, this lake will be filled in.

Generally speaking, a golf hole should have a minimum of 60 metres between the centre line of play and a boundary to ensure safety from errant golf balls. For this design, I was very conservative though, due to the high risk nature of having a highway adjacent to a golf hole. I therefore allowed for more than 95 metres to the boundary, because there was space to do so, and so we could retain large existing trees on the left side of the new golf hole. The impact of this redesigned highway alignment is that this distance will be reduced to 85 metres. However, I remain very comfortable with this safety offset, for the following reasons;

1. The offset from the centre line of play on the new 16th hole will be 85 metres for the tee shot. This easily complies with standards commonly used by golf course architects.
2. Adjacent to the new boundary will be the proposed entry driveway to the Club. This will be a slow speed 'laneway' that will connect with the Club's current driveway and be used almost entirely by members and visitors to the Club. A bicycle path will run adjacent to the driveway. The risk to users of the access driveway and bike path is very low.
3. The edge of the Tasman Highway – where the potential greater risk lies with vehicles moving at high speed - will be more than 100 metres from the centre line of play on the new 16th hole. So, even with the highway and boundary moved the proposed 10 metres, it remains extremely safe and the risk to users of the Tasman Highway is very low.

From the Golf Club's perspective, the downside is that most of the trees along the left of the 16th fairway will have to be removed, although I believe most of them had to be removed in any case. The Club will also lose more land, which will, arguably, impact the amenity of the golf course. In addition, more of the old 16th

fairway will be lost and this area was intended to be used for a landscape buffer to screen the new highway, and as a turf nursery. This will still be possible, but less land will be available for that purpose. In theory, the safety risk is also marginally higher, but I think acceptably so.

The only area of the proposed golf course design that this revised highway design impacts on, appears to be the new tees for the spare hole that will play to the existing 16th green. If this amendment proceeds, the golf course design in that area will need revision. The landscape plans will also need to be amended, as well as all other plans for that portion of the golf course to reflect the new boundary location.

Please let me know if you have any questions.

Yours sincerely,

A black rectangular box containing the red text 'S36' in a bold, sans-serif font.

Director

Released under RTI

From: [Consultants](#)
To: s36 [redacted] au
Cc: [State Growth](#); s36 [redacted]
Subject: Official Order 3100B-6-37 - ADJ 9 - SETS Airport Interchange to Midway Point Causeway
Date: Friday, 11 August 2023 1:33:44 PM
Attachments: [3100B-6-37_AdiCert_ADJ9_20230811_132029.pdf](#)
[SETS Ongoing EPBC Approval requirements.PDF](#)
[SETS Options to Minimise EPBC Impact on Milford.PDF](#)

Good afternoon s36 [redacted]

Please find **attached** ADJ 9 for the above project.

Kind regards,

| Contracts Officer
Procurement and Contract Services | Department of State Growth
Level 3, 4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
Phone: (03) 616 63371
www.stategrowth.tas.gov.au

-
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Department of State Growth



Variation Order No. ADJ9

Contract No.: 3100B-6-37
Contractor: Pitt and Sherry (Operations) Pty Ltd
Contract Title: SETS Airport Interchange to Midway Point Causeway

Date Issued: 11/08/2023**Quote Reference No.:****Issued By:****To Contractor****Attention:** s36**Title:** V9 – EPBC and associated design costs

I advise that agreement has been reached on the price of the following variation required for reason: Change to project strategy/direction
Details:

Therefore pursuant to undermentioned Clause, I have ascertained its value as:

ItemNumber	Description	Quantity	Rate	Amount \$
1	Variation 9 - Consultant fees	117,692.00	\$1.00	\$117,692.00
			Total of Variation	\$117,692.00

(Exclusive of GST)

	\$	\$		\$
	Variations/Adjustments	Liquidated Damages	Original Contract Price	\$107,199.00
This variation	\$117,692.00	\$0.00	Total Variations/Adjs	\$559,561.80
Previous Variation	\$441,869.80	\$0.00	Sub Total	\$666,760.80
Total to Date	\$559,561.80	\$0.00	Total Liquidated Damages	\$0.00
			New Contract Price	\$666,760.80

This variation will extend Contract time by 0 days ().

The Practical Completion Date for the Contract is 30/06/2024.

Details:

		Original Practical Completion Date	30/07/2021
Previous Variations	1,066 days	Previous Practical Completion Date	30/06/2024
This Variation	0 days	Current Practical Completion Date	30/06/2024
Total	1,066 days		

**P.19.0406.020 Tasman Highway – Airport Interchange to Midway
Point Causeway – Ongoing EPBC Approval Costs**



Date	27 July 2023
Client	Department of State Growth
Client Representative	
Contact Details	@stategrowth.tas.gov.au
pitt&sherry Representative	§36
Contact Details	§36 @pittsh.com.au
Revision	Rev00

1. Background

Advice has been received from DCCEEW that an Offset is required to account for the impact of the proposed Tasman Highway upgrade on the threatened orchid species on the Milford property. Further field work is necessary to assess the habitat of suitable offset area(s). Following the habitat assessment an Offset Strategy and Offset Management Plan must be prepared for endorsement by the landowner and approval by DCCEEW. Results of the habitat assessment and the information from the most recent orchid survey, planned for September 2023, then need to be added to existing Preliminary Documentation and the entire submission reviewed and updated for assessment by DCCEEW. This Change Order covers the anticipated activities to obtain the EPBC Approval for the project.

2. Scope of services

- i. Prepare assessment methodology for the offset area(s), noting that Unit 4 has been proposed and the landowner has a preference for Unit 7. Unit 7 has not been recognised as core orchid habitat and may not be acceptable to DCCEEW.
- ii. Review methodology and approach for habitat assessment with landowner
- iii. Obtain endorsement for methodology with DCCEEW
- iv. Carry out habitat assessment

- v. Prepare Offset Strategy and Offset Management Plan for review by landowner/independent reviewer
- vi. Incorporate habitat assessment and latest orchid survey results into Preliminary Documentation
- vii. Update all Preliminary Documentation to reflect current project status
- viii. Submit Preliminary Documentation
- ix. Publish Preliminary Documentation when directed by DCCEE, respond to public comments (if required), amend documentation in response to public comments (if required) and resubmit documentation for Department and Ministerial Approval.

3. Deliverables

Offset Strategy, Offset Management Plan, Preliminary Documentation.

4. Client responsibilities

Negotiation with landowner to obtain approvals, noting that Pitt & Sherry/North Barker will discuss technical matters with the owner to the extent permitted.

5. Program

In accordance with Milford EPBC Approval Rev 01 Gant Chart with key milestones

Field assessment of Offset Area – 30th September 2023

Complete Documentation – 15th December 2023

Landowner approval of Offset Strategy and Offset Management Plan – 15th January 2024

Submit preliminary Documentation - 30th January 2024

6. Project team

Project Manager – s36

Environmental Scientist – s36

Environmental Consultant – s36, _____

7. Conditions of Engagement

Contract 3100.

8. Fee Structure:

Work will be carried out on a time and expense basis with an estimated cost of \$89,722 plus GST. The fee estimate is attached.

SIGNED for and on behalf of pitt&sherry:

s36

SIGNED for and on behalf of the Client:



Signature of Authorised Representative

Signature of Authorised Representative

Name of Authorised Representative

Name of Authorised Representative

Date 27/07/2023

Date Click or tap to enter a date.

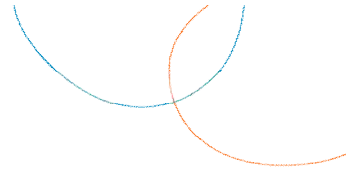
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pitt&sherry

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Task name	Project category	Description	Transaction type	Quantity	Unit price	Net amount
Ongoing EPBC Approval Costs	C3_ECons	Experienced Consultant	Hour	120.00	s38	
Ongoing EPBC Approval Costs	P7_SPEng	Senior Principal Professional	Hour	80.00		
Ongoing EPBC Approval Costs	T4_STech	Senior Technical Officer	Hour	20.00		
Ongoing EPBC Approval Costs	Sub_cons	North Barker	Expense	1.00		
P.19.0406.020 Total						\$89,722

Released under RTI

P.19.0406.020 Tasman Highway – Airport Interchange to Midway Point Causeway – Options to Minimise Impact on Milford



Date	27 July 2023
Client	Department of State Growth
Client Representative	
Contact Details	@stategrowth.tas.gov.au
pitt&sherry Representative	§36
Contact Details	§36 @pittsh.com.au
Revision	Rev00

1. Background

The Department of state Growth has requested Pitt & Sherry to investigate design options for the highway upgrade that could avoid impact on the threatened orchid species on the Milford property

2. Scope of services

- i. Modify highway to move the alignment approximately 14 metres to the north to avoid impact on the orchid habitat
- ii. Identify geometry changes to limit corresponding impact on the Tasmania Golf Club to not more than 10 metres and avoid impact on Barilla property if possible. Changes to consider – retaining walls to reduce width of earthwork, reduction of shoulders to 1 metre, move cyclepath to service roads.
- iii. Carry out sufficient 3D modelling to confirm that impacts to properties on the northern side can be limited to minimum extent.
- iv. 3D modelling to verify that room exists for service relocations, match-in to existing for Golf Club service road, drainage paths remain unchanged and designed stormwater system remains viable noting extremely flat grades in the vicinity of the realignment.

- v. Review turning paths to ensure design vehicle can be accommodated on modified service roads
- vi. Scope out the changes to impacted properties – Milford and Airport (both reduced), Barilla Bay (any additional impact to be confirmed), Tasmania Golf Club (increased)

3. Deliverables

Concept design information including revised property boundaries, and summary of revised impact on affected properties.

4. Client responsibilities

Not applicable.

5. Program

Advice to be provided by 16th August 2023.

6. Project team

Project Manager/Design Engineer – s36

Design technician – s36

Design review – s36

7. Conditions of Engagement

Contract 3100.

8. Fee Structure:

Work will be carried out on a time and expense basis with an estimated cost of \$27,970 plus GST. The fee estimate is attached.

<p style="text-align: center; background-color: #f0f0f0; margin: 0;">SIGNED for and on behalf of pitt&sherry:</p> <div style="background-color: black; color: red; font-size: 2em; font-weight: bold; padding: 5px; margin: 5px 0;">s36</div> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p style="font-size: 0.8em; margin: 0;">Signature of Authorised Representative</p>	<p style="text-align: center; background-color: #f0f0f0; margin: 0;">SIGNED for and on behalf of the Client:</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p style="font-size: 0.8em; margin: 0;">Signature of Authorised Representative</p>
<p style="font-size: 0.8em; margin: 0;">Name of Authorised Representative</p> <p style="font-size: 0.8em; margin: 5px 0 0 0;">Date 27/07/2023</p>	<p style="font-size: 0.8em; margin: 0;">Name of Authorised Representative</p> <p style="font-size: 0.8em; margin: 5px 0 0 0;">Date Click or tap to enter a date.</p>

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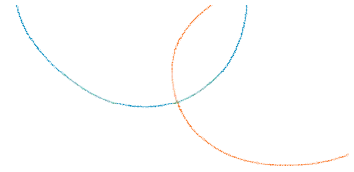
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Task name	Project category	Description	Transaction type	Quantity	Unit price	Net amount
Options to reduce impact on Milford	T4_Tech	Experienced Consultant	Hour	120.00	s38	
Options to reduce impact on Milford	P7_SPEng	Senior Principal Professional	Hour	20.00		
Options to reduce impact on Milford	P7_SPEng	Senior Technical Officer	Hour	20.00		
P.19.0406.021 Total						\$27,970

Released under RTI

From:
To: s36 ;
Cc: s36
Subject: RE: Maintenance Plan - Milford Compensatory Planting
Date: Tuesday, 15 August 2023 9:44:35 AM
Attachments: image002.png

Thanks _____,

s39

Regards

| Acting General Manager State Roads
State Roads | Department of State Growth
Level 2, 4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
PH: 6166 3430 | MB: s36
www.stategrowth.tas.gov.au

Courage to make a difference through
TEAMWORK | INTEGRITY | EXCELLENCE | RESPECT
In recognition of the deep history and culture of this island, I acknowledge and pay my respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land.

From: s36 @pittsh.com.au>
Sent: Tuesday, 15 August 2023 7:41 AM
To: @stategrowth.tas.gov.au>;
@stategrowth.tas.gov.au>;
@stategrowth.tas.gov.au>
Cc: s36 @pittsh.com.au>; s36 @pittsh.com.au>
Subject: FW: Maintenance Plan - Milford Compensatory Planting

Please find attached correspondence that s36 (on behalf of s36) has sent to s36 (NBES) for your information.

We are leaving it up to s36 as to whether he wishes to respond or seek independent legal advice. We have asked him to let us know if he does.

Kind regards,

_____| s36
Associate Stakeholder and Community Engagement Consultant
Mobile s36 | s36 @pittsh.com.au | pittsh.com.au

out of scope

From:
To: s36
Cc:
Subject: RE: Management Plan for Compensatory Planting Area at Milford
Date: Monday, 28 August 2023 11:23:33 AM
Attachments: [image001.png](#)

Hi s36

I've finally got to review this document and make the following observations.

- The Document is State Roads not a Pitt & Sherry document and so should be on State Growth Template
- Replace all references to Project with compensatory planting and/or site. This is not a project but an ongoing management plan.
- Opening paragraph under 1.3 Purpose is background not purpose.
- Remove dot point 4 under Objectives. Minimising the introduction of weeds will be a focus no matter what their origin, external or internal to Milford.
- Legislative requirements is about Weeds not the revegetation plan and so include with Weeds, see next dot point.
- Suggest a unified Weeds chapter including section 2.0 in it's entirety, section 3.3 and section 4.
- Section 5 should be brought forward to follow section 1 as it is the relevant content of the document with the all other sections being background information.
- Remove reference to Wildseed except where they have contributed to the development of this document as it should not be assumed they will continue to deliver the works in the management plan. They may well continue but the plan should not infer continuation of that contractual arrangement.

Happy to discuss.

Regards

| Acting General Manager State Roads
State Roads | Department of State Growth
Level 2, 4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
PH: 6166 3430 | MB: s36
www.stategrowth.tas.gov.au

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In recognition of the deep history and culture of this island, I acknowledge and pay my respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land.

From: s36 @pittsh.com.au>
Sent: Wednesday, 26 July 2023 9:00 AM
To: @stategrowth.tas.gov.au>;
@stategrowth.tas.gov.au>
Subject: Management Plan for Compensatory Planting Area at Milford

Good morning

Here is the Management Plan. The next steps should be for you to obtain s36 agreement for

North Barker to carry out the habitat assessment on the offset area in September. A preliminary meeting would be necessary with s36 and her representatives to clarify what she is proposing as an alternate offset area. This can then be considered against the offset guidelines. DCEEW will need some convincing that s36 preferred offset area (Unit 7) is core habitat as it hasn't been identified as such in North Barkers investigations.

Regards

|
s36

Principal Engineer

Mobile s36 | s36 @pittsh.com.au | [Connect on LinkedIn](#)

Hobart Office — Level 1, Surrey House, 199 Macquarie Street
PO Box 94 Hobart Tasmania 7001 | Phone +61 3 6210 1466

Herpittsh.com.au

Released under RTI

From: s36
 To:
 Subject: Re: Milford Orchids Offset Management Plan
 Date: Tuesday, 8 August 2023 4:53:34 PM
 Attachments: [image001.png](#)
[image002.png](#)

Hi

We won't be doing anything on the independent review until process is clarified and agreed by /Department and s36. Access for the habitat assessment is also to be arranged/agreed when next meets with s36.

That meeting would need to be soon so that s36 can get onto Milford in September.

Regards

s36

Sent from my iPhone

On 8 Aug 2023, at 15:55,

@stategrowth.tas.gov.au> wrote:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi s36

I have been advised that P & S should not proceed with any engagement to review the plan until we have confirmation from s36 that we can access the property.

Can you please advise me of the status of access to her property for s36 to do this assessment, or is it with /DSG?

Thanks

| Project Management Team Leader
 State Roads | Department of State Growth
 Level 2, 4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
@stategrowth.tas.gov.au / MB: s36
www.stategrowth.tas.gov.au

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In recognition of the deep history and culture of this island, I acknowledge and pay my respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land.

From: s36 @pittsh.com.au>

Sent: Wednesday, 2 August 2023 12:28 PM

To: @stategrowth.tas.gov.au>;

@stategrowth.tas.gov.au>;

@stategrowth.tas.gov.au>

Subject: Fwd: Milford Orchids Offset Management Plan

Hi

s39. Can you please confirm with s36 how the engagement of Eco Dynamics will be accomplished. It would be advantageous to get this arranged asap, ideally through P&S, then there won't be delays when the documentation is ready.

Regards

From: |
To:
Cc: s36
Subject: RE: Milford: Meeting Transcript - Further inputs required
Date: Friday, 6 October 2023 4:12:02 PM
Attachments: [Milford EPBC Approval Rev 03.pdf](#)
[Milford EPBC Approval Rev 03 Filtered.pdf](#)

Hi

Revised programs attached

Regards

s36

Principal Engineer

Mobile s36 | s36 @pittsh.com.au | [Connect on LinkedIn](#)

Hobart Office — Level 1, Surrey House, 199 Macquarie Street
PO Box 94 Hobart Tasmania 7001 | Phone +61 3 6210 1466

pittsh.com.au

From: @stategrowth.tas.gov.au>
Sent: Friday, 6 October 2023 9:48 AM
To: s36 @pittsh.com.au>
Cc: s36 @pittsh.com.au>
Subject: RE: Milford: Meeting Transcript - Further inputs required

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Hi s36

So is arranging a meeting with s36 and would like these two programs updated, could you please move the program forward, with the below task started on 3 November.

landowner confirm party to conduct review of methodology and documents 15 days Mon
11/09/23Fri 29/09/23

I will let you know when a date is confirmed and if anything else is required

Thanks

| Project Management Team Leader
State Roads | Department of State Growth
Level 2, 4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
Email: @stategrowth.tas.gov.au / MB: s36
www.stategrowth.tas.gov.au

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In recognition of the deep history and culture of this island, I acknowledge and pay my respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land.

From: s36 [redacted] <[redacted]@pittsh.com.au>
Sent: Wednesday, 13 September 2023 7:41 AM
To: [redacted] <[redacted]@stategrowth.tas.gov.au>
Cc: s36 [redacted] <[redacted]@pittsh.com.au>
Subject: RE: Milford: Meeting Transcript - Further inputs required

Hi s36 [redacted]

Refer attached program that addresses your request at dot point 3 below. It would be desirable to be able to carry out the habitat assessment during orchid flowering season, but this is not essential according to s36 [redacted] s39 [redacted]. I have highlighted in yellow the decisions/advice required from s36 [redacted]. I left in the other activities because the program didn't make much sense without them. The second attachment includes only the decisions required from s36 [redacted].

Note that the program doesn't include all the other decisions to be confirmed by s36 [redacted] including but not limited to –

- i. agreement to the design of the new access
- ii. advice on equipment on use on Milford so we can determine if powerlines under the new access have sufficient clearance
- iii. agreement to the proposed covenant over the offset area – s36 [redacted] was looking into this and assessing the possibility of a conservation covenant through NRE
- iv. Lease of compensatory planting area

s39

s36 [redacted]

Principal Engineer

Mobile s36 [redacted] | s36 [redacted] <[redacted]@pittsh.com.au> | [Connect on LinkedIn](#)

Hobart Office — Level 1, Surrey House, 199 Macquarie Street
PO Box 94 Hobart Tasmania 7001 | Phone +61 3 6210 1466

pittsh.com.au

From: [redacted] <[redacted]@stategrowth.tas.gov.au>
Sent: Friday, 25 August 2023 4:10 PM
To: s36 [redacted] <[redacted]@pittsh.com.au>
Cc: s36 [redacted] <[redacted]@pittsh.com.au>
Subject: FW: Milford: Meeting Transcript - Further inputs required

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi s36

Please see below further information requested by in regard to the Milford negotiations.

- The transcript needs to remain as an accurate record of the conversation and so without changing the works please edit out any translation errors.

s39

- Can we have a Gantt chart that just includes the engagement with s36 and **clearly identifies key decision required from s36 that we can then negotiate with her on the timeframe for those decisions.**
- A draft letter to s36 (for signature) requesting agreement (including upper limit price) on the services to be provide by s36 and other legal and financial advisors and not that we would not consider the letter for s36 to s36 as a reasonable expense to be met by the Department in respect of the acquisition and the EPBCA approval process.
- A timeframe for finalising the lease and the management plan for the off-set area as we need to prioritise weeding and fire hazard reduction activities on that site. -is that the program you previously sent through?

Also please note that work on the Offset Management Plan, Calculator and Appraisal is to halted until further consideration of the option to avoid impacts on the Milford property and thus obviate the need for an offset management plan.

Thanks, enjoy your weekend

| Project Management Team Leader
State Roads | Department of State Growth
Level 2, 4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
Email: s36@stategrowth.tas.gov.au / MB: s36
www.stategrowth.tas.gov.au

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In recognition of the deep history and culture of this island, I acknowledge and pay my respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land.

From: s36 [REDACTED] <[REDACTED]@pittsh.com.au>
Sent: Monday, 14 August 2023 7:53 AM
To: [REDACTED] <[REDACTED]@stategrowth.tas.gov.au>
Cc: s36 [REDACTED] <[REDACTED]@pittsh.com.au>; s36 [REDACTED] <[REDACTED]@pittsh.com.au>
Subject: FW: Meeting Transcript

Good morning

Thanks for your time on the phone on Friday.

Please find attached the following:

- A revised Microsoft 365 transcript of the meeting held at the Milford property on 22 May 2023 with speakers identified (as requested below).
- A *draft* dot point summary of the meeting (as suggested by [REDACTED] as there has been quite a bit of contest over the meeting minutes – I'll take you through this this afternoon)
- A *draft* process for future access onto the Milford property for State Growth review and consideration. This is based on a pre-existing process recently released by the department, however is tailored to s36 [REDACTED] requests/instructions.

I appreciate that you may not have a chance to review these documents prior to our catch up tomorrow, I can give you an overview if you don't get to them.

Kind regards,

[REDACTED] | s36 [REDACTED]
Associate Stakeholder and Community Engagement Consultant
Mobile +s36 [REDACTED] | s36 [REDACTED] <[REDACTED]@pittsh.com.au> | [REDACTED]@pittsh.com.au

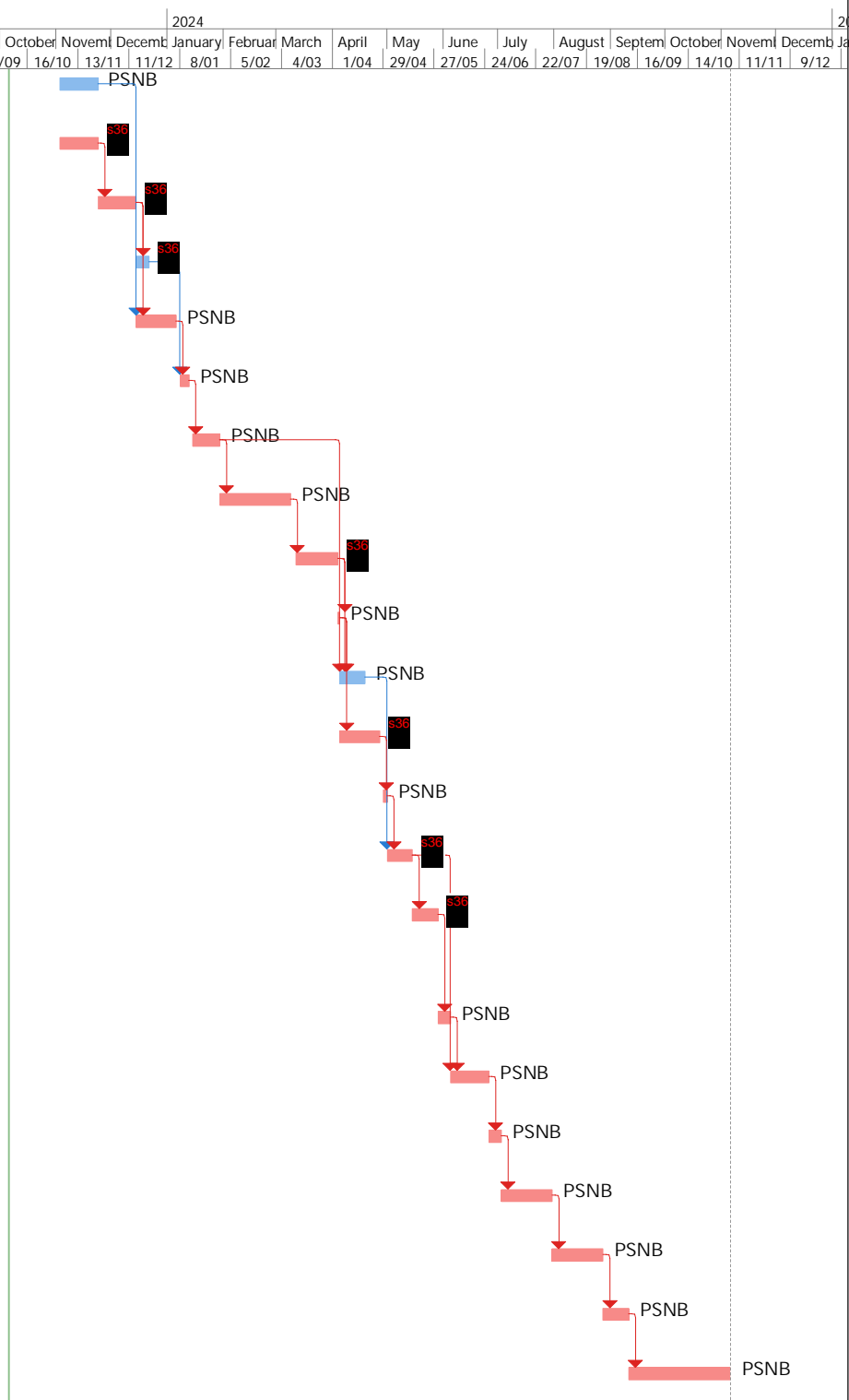
From: [REDACTED] <[REDACTED]@stategrowth.tas.gov.au>
Sent: Thursday, 3 August 2023 10:11 AM
To: s36 [REDACTED] <[REDACTED]@pittsh.com.au>
Subject: FW: Meeting Transcript

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fyi

out of scope

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names	2024														
								August 24/07	Septem 21/08	October 18/09	November 16/10	December 13/11	January 11/12	February 8/01	March 5/02	April 4/03	May 1/04	June 29/04	July 27/05	August 24/06	September 22/07	October 19/08
1		Prepare methodology for habitat assessment of Unit 7	15 days	Fri 3/11/23	Thu 23/11/23		PSNB															
2		Landowner confirm party to conduct review of methodology and documents	15 days	Fri 3/11/23	Thu 23/11/23		PSNB															
3		Landowner review methodology for habitat assessment - Units 4 and 7	15 days	Fri 24/11/23	Thu 14/12/23	2	PSNB															
4		Landowner approve access to Milford for habitat assessment of Offset areas	5 days	Fri 15/12/23	Thu 21/12/23	3	PSNB															
5		Review Unit 7 methodology with DCCEEW	10 days	Fri 15/12/23	Fri 5/01/24	1,3	PSNB															
6		Field assessment of Offset area(s)	5 days	Mon 8/01/24	Fri 12/01/24	4,5	PSNB															
7		Collate and report field results	10 days	Mon 15/01/24	Mon 29/01/24	6	PSNB															
8		Draft Offset Strategy and Offset Management Plan	28 days	Tue 30/01/24	Fri 8/03/24	7	PSNB															
9		Landowner review Offset Strategy and Offset Management Plan	15 days	Tue 12/03/24	Wed 3/04/24	8	PSNB															
10		Finalise Offset strategy and Offset Management Plan	1 day?	Thu 4/04/24	Thu 4/04/24	9	PSNB															
11		Update Preliminary Documentation with latest orchid surveys	10 days	Fri 5/04/24	Thu 18/04/24	7,9,10	PSNB															
12		Landowner approval of Offset Strategy and Offset Management Plan	15 days	Fri 5/04/24	Fri 26/04/24	10	PSNB															
13		Include Offset Strategy and Offset Management Plan in Preliminary Documentation	2 days	Mon 29/04/24	Tue 30/04/24	12	PSNB															
14		Landowner comment on Preliminary Documentation	10 days	Wed 1/05/24	Tue 14/05/24	13,11	PSNB															
15		Landowner provide in principle approval in writing for DSG to access Milford to implement Offset Management Plan	10 days	Wed 15/05/24	Tue 28/05/24	14	PSNB															
16		Submit Preliminary Documentation, Offset Management Plan and Offset Strategy to DCCEEW	5 days	Wed 29/05/24	Tue 4/06/24	15	PSNB															
17		DCCEEW approve PD, OMP and Offset Strategy and direct to publish	15 days	Wed 5/06/24	Tue 25/06/24	14,16	PSNB															
18		Publish	5 days	Wed 26/06/24	Tue 2/07/24	17	PSNB															
19		Advertising period	20 days	Wed 3/07/24	Tue 30/07/24	18	PSNB															
20		Update Preliminary Documentation based on comments	20 days	Wed 31/07/24	Tue 27/08/24	19	PSNB															
21		Re Advertise	10 days	Wed 28/08/24	Tue 10/09/24	20	PSNB															
22		DAWE makes recommendation to Minister and Minister's decision	40 days	Wed 11/09/24	Tue 5/11/24	21	PSNB															



Project: Milford EPBC Approva
Date: Fri 6/10/23

Task	Summary	Inactive Milestone	Duration-only	Start-only	External Milestone	Critical Split
Split	Project Summary	Inactive Summary	Manual Summary Rollup	Finish-only	Deadline	Progress
Milestone	Inactive Task	Manual Task	Manual Summary	External Tasks	Critical	Manual Progress

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names	2024														
								August 24/07	Septem 21/08	October 18/09	Novem 16/10	Decemb 13/11	January 11/12	Februar 8/01	March 5/02	April 4/03	May 1/04	June 29/04	July 27/05	August 24/06	Septem 22/07	October 19/08
2		Landowner confirm party to conduct review of methodology and documents	15 days	Fri 3/11/23	Thu 23/11/23		536															
3		Landowner review methodology for habitat assessment - Units 4 and 7	15 days	Fri 24/11/23	Thu 14/12/23	2	536															
4		Landowner approve access to Milford for habitat assessment of Offset areas	5 days	Fri 15/12/23	Thu 21/12/23	3	536															
9		Landowner review Offset Strategy and Offset Management Plan	15 days	Tue 12/03/24	Wed 3/04/24	8	536															
12		Landowner approval of Offset Strategy and Offset Management Plan	15 days	Fri 5/04/24	Fri 26/04/24	10	536															
14		Landowner comment on Preliminary Documentation	10 days	Wed 1/05/24	Tue 14/05/24	13,11	536															
15		Landowner provide in principle approval in writing for DSG to acces Milford to inplement Offset Management Plan	10 days	Wed 15/05/24	Tue 28/05/24	14	536															

Released under RTI

Project: Milford EPBC Approva Date: Fri 6/10/23	Task	Summary	Inactive Milestone	Duration-only	Start-only	External Milestone	Critical Split
	Split	Project Summary	Inactive Summary	Manual Summary Rollup	Finish-only	Deadline	Progress
	Milestone	Inactive Task	Manual Task	Manual Summary	External Tasks	Critical	Manual Progress

From: s36
To:
Cc: s36
Subject: RE: Milford: Meeting Transcript - Further inputs required
Date: Tuesday, 19 September 2023 1:24:09 PM
Attachments: [P.19.0406 Transcription of meeting recording \(MANUAL\).docx](#)

Hi

Please find attached the revised transcription of the last Milford meeting as requested.


The transcription function offered by Microsoft 365 may have struggled slightly, as for most of this meeting people were talking over the top of one another. I was hesitant to change it to ensure that if s36 tried to reproduce it, she would receive the same result.

I've now condensed it down and have stuck to the main conversation points/speakers.

s39

Please let me know if I can be of any further assistance.

Kind regards,

 | s36
Associate Stakeholder and Community Engagement Consultant
Mobile s36 | scasey@pittsh.com.au | pittsh.com.au

From: @stategrowth.tas.gov.au>
Sent: Wednesday, 13 September 2023 3:07 PM
To: s36 @pittsh.com.au>
Cc: s36 @pittsh.com.au>
Subject: RE: Milford: Meeting Transcript - Further inputs required

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Great, thanks s36

Sorry to hear that you got sick on your holiday, hope it did not impact it too much.

The letter and amended process look good. We are not seeking clarification on s36 role or associated fees.

I look forward to receiving then revised transcript.

| Project Management Team Leader
State Roads | Department of State Growth
Level 2, 4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
Email: @stategrowth.tas.gov.au / MB: s36
www.stategrowth.tas.gov.au

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TEAMWORK | INTEGRITY | EXCELLENCE | RESPECT

In recognition of the deep history and culture of this island, I acknowledge and pay my respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land.

From: s36 @pittsh.com.au>
Sent: Wednesday, 13 September 2023 11:41 AM
To: @stategrowth.tas.gov.au>
Cc: s36 @pittsh.com.au>
Subject: RE: Milford: Meeting Transcript - Further inputs required

Hi

Sorry for not getting these to you sooner – I returned from overseas with pneumonia, so I've been at half-capacity since my return last week.

Revised draft access process and draft letter attached – I am to the understanding that it is only s36 fees that we are seeking clarification on, however if you want me to include a paragraph about fees for s36 (who is assisting s36 with her land acquisition matters), this can be revised as well. Are s36's fees also considered unreasonable?

I'm currently revising the transcript and will have this to you ASAP.

Kind regards,

s36

| s36
Associate Stakeholder and Community Engagement Consultant
Mobile s36 | s36 @pittsh.com.au | pittsh.com.au

From: @stategrowth.tas.gov.au>
Sent: Wednesday, 13 September 2023 11:31 AM
To: s36 @pittsh.com.au>
Cc: s36 @pittsh.com.au>
Subject: RE: Milford: Meeting Transcript - Further inputs required

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks s36

s36 how are we going with the other requested items?

Cheers,

Project Management Team Leader
State Roads | Department of State Growth
Level 2, 4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
Email: s36@stategrowth.tas.gov.au / MB: s36
www.stategrowth.tas.gov.au

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In recognition of the deep history and culture of this island, I acknowledge and pay my respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land.

duplicate

Audio file

[Recording of meeting - Milford - 22 May 2023 4.m4a](#)

Transcript

00:00:00 s36

If that's OK with you.

00:00:02 s36

Well, one of the things that, I mean, there's obviously lots of purposes for today's meeting. One of them is for s36 to be assured and comfortable giving approval for me to come out tomorrow and the next day to do field work. From my perspective, of course, I wouldn't want us to run out of time. So, they've seen a priority in a sense so if this isn't key to s36 to make a decision on that then I think we could probably park that and if we have time at the back end of the meeting...

00:00:28 s36

Yeah, yeah. I mean, there's a lot for us just to, that'll take probably half an hour to go through all that, so I think that's OK. But going forward, you know, I'd like to stick to the normal accepted procedure please, where minutes are recorded and sent around in a legible format. Preferably, you know, written up.

00:00:49 s36

I'm more than happy to work with s36 to draft our minutes so we can send those down to you to make sure that you're happy with the format that they're in, that they've captured all the information. Then, once we agree to that, then yes, we can circulate. Whether that's me that circulates to be that contact, or whether that comes from you...

00:01:07 s36

Well, I think that's a good idea if we have one contact person, so if you're that...

00:01:10 s36

I'm happy to do that.

00:01:11 s36

That would be great. Thank you very much for that. OK, we'll agree that that they've been presented, and we've parked going through the minutes for now, OK? Now the next agenda item I've put on here is the discussion item about consent of the landowner. And I've asked you to provide some information on that, if possible, please. Were you able to get hold of some of that?

00:01:47

No. So we have to park this one, but I'll get back to you on that. Consent in what form?

00:01:50 s36

Well alright, I don't agree that this has to be parked. This has been an issue for four years.

00:01:59

Yeah, yeah, yeah, yeah. But. But I don't answer for you now, but I'll get back to you.

00:02:02 s36

All right. Well, I've done some research on this. We also have a lawyer present who will probably know about this, but consent under Tasmanian legislation, as far as I was aware, is not defined except in a sexual context when assaulting someone, but in a non-sexual context, the same principles apply. So consent must be voluntary, it must not be made under duress, and it has to be made with full information, OK? So, they are the principles of consent from the research I've done and s36, it's not, I know it's not your area, but there is no variation of that that applies under the EPBC Act, which is federal, so the same principles apply, but that's subject to advice from s36. There might be some specific things in the EPBC Act that say that there's more. Landowners' rights - do you know anything about landowners' rights?

00:02:59 s36

I do, in what context s36

00:03:00 s36

Well, in the context of my dealings with government and the rights I have as an individual.

00:03:05 s36

OK. So, I mean, do you mean the context of people coming to do site inspections or, like, s36 coming tomorrow or?

00:03:14 s36

Well, yes, that sort of thing. But in the broader sense of the way that landowners should be treated with respect, in particular.

00:03:24 s36

Well, it goes without saying. So standard property rights are to your property, if you own it, you possess it. You have a right to exclusive possession, which means you can possess it and use it to the exclusion of whoever you choose. And you, you can invite people to attend the property, or you can tell someone you don't want them to attend or be there any longer and they leave. Now all of that is accepted, presumably but it's all subject to any legislative intervention. So anything under EPBC legislation, anything under, in this case, the Land Acquisition Act, I'm not aware of anything under the Land Acquisition Act other than stuff that wouldn't apply in this context, which is when the department is doing bits and pieces near the highway, there are some powers that say they could store things adjacent on private property, or there's powers to inspect prior to acquisition, those sorts of things, none of that really relevant here, though.

00:04:17 s36

I don't think it applies under the Land Acquisition Act, but it may apply under Roads and Jetties.

00:04:20 s36

Yeah, it's in there, too. So there's a couple of sections in land acquisition that enable the entity that have the advantage of that legislation to enter property to inspect it prior to acquisition to check that it's suitable, and then when they're doing work on acquired land, they can basically compel an owner to allow them to access property adjoining the land that they've acquired so they can work on the land they have acquired, and sometimes store things on the... it's all subject to, you know, non-reasonable disturbance, remove it when you're finished, don't break anything, that sort of thing. So EBPC, unsure, s36 is the person to advise you about that, but in terms of consultants, specialists, members of the Department, pitt&sherry staff, whoever coming to the site, subject to any legislative intervention that would be consulting with s36, giving s36 enough sufficient notice, and then complying with any reasonable requirements s36 has in terms of entry, like biological protection...

00:05:32 s36

Like biosecurity and safety, which is standard with all.

00:05:33 s36

... Security and any inductions you need to do given that it's a commercial property around work, health and safety because when people are on here, you'd have a work health and safety obligation, to most, if not to all of them as the PCBU. So yeah, that's that. Was there any particular aspect of that you're concerned about or?

00:05:55 s36

No, I think you know what I want to get you out here is that you all understand this?

00:06:02 s36

Yes.

00:06:03 s36

Because I don't think it's been fully appreciated in the past and it's something I would like to change. I have actually been threatened by one of the representatives of State Growth and it's gone way beyond. I've been treated, I believe, with a total lack of respect and I think that would be verified by some of the people. And I think this has got to change and that's why I want this agenda item one.

00:06:31 s36

There's an undercurrent of mistrust and it's as a result of historical dealings. And I strongly suspect no one in this room is involved with that...

00:06:40 s36

No.

00:06:42 s36

... So, it's just a matter of going forward, transparency, making sure s36 comfortable with site visits, all those sorts of things to put that into the past and move forward in a way that's comfortable with everything.

00:06:57 s36

Yeah, I think, you know, we're all keen to move on. You know, this has been a very onerous process for me, I can't do anything with my property until this is resolved. There's a huge cost in that. And I'm a private individual. I have rights as a citizen, and I don't really believe that I've been. Yeah. Thank you. That just sends a reminder. Yeah. OK, so I think you know it's important that we perhaps draw a line in the sand with some of this stuff and move on in a proactive positive way, so...

00:07:35 s36

I completely agree, and I've been kind of brought up to speed and I've spoken to other people in the project, and I do apologise for what you have previously experienced. Part of the reason why I've wanted to come in is to be that contact person so that when things do become heated and people aren't quite sure of how to handle it, that's where I can advise and influence...

00:08:01 s36

Very good.

00:08:03 s36

... So, yes, I appreciate. It's been a very onerous project that's gone on for a long time and that you have probably dealt with people who have not handled it well, and on behalf of the department and pitt&sherry, I do apologise for that, but part of the reason why we are here is to move forward and they have engaged myself to help with that.

00:08:27 s36

Great. Well, that's excellent. We had a meeting 11 months ago. s36 was here, and she actually said that the way I've been treated was totally unacceptable. And she's the head of department. But I'm grateful to now receive an apology. Even 11 months later. Thank you.

00:08:45 s36

And just so it's perfectly clear, s36 understands the acquisition is what it is. It's happening. There's a need to work through this process. This is all, I think the previous friction has been the result of whoever sat down to knock this out prior to the acquisition occurring did not necessarily appreciate the knock-on effect of taking the relevant part of Milford in terms of environmental impacts and the need to then investigate offsets and deal with all of that. That's the root of it all, so I'm not putting any of this down to malice, I'm putting it down to just, and this is something I see in compulsory acquisition a lot, which is there seems to be a fair bit of not looking before leaping or doing half of the assessment and then menial problems arise on the other end once the land is taken, and then there's friction from the department and whoever the acquiring authority is, be it Council, whoever, that they didn't think of it. And then the thing gets complicated. Perhaps what they thought they were going to pay in terms of

compensation, actually goes up a lot and then that has not gone to their budget... So, I mean, there's no malice here, s36 wants to cooperate, I think to a degree, sort of desperate to cooperate and get this thing across the line as much as possible...

00:09:57 s36

Well, I've been trying very hard to and it's a huge cost to me. My husband passed away; I can't sell this property until this is resolved. You know, that's costing me a lot of money.

00:10:01 s36

And that that's obvious to me when I was reading.

00:10:05 s36

00:10:10 s36

So very being very clear for interrupting - we talk to you.

00:10:15 s36

Yeah, pretty much. I do think there is an element in that there is still people who connected to the department, within the department, who have been involved in projects like this for a long time. They were able to work like that previously, they were able to just walk onto somebody's land or speak to people and disrespect people like they have you. It's not the way that it's done anymore and people like me are coming in and saying that's not how we do things anymore. So yes, I'm happy to be your contact person. I'm aware of I work well with enise so I can escalate things when I need to. But yes, please use me as your contact person particularly at any time that you feel that you are being threatened or disrespected, please bring it to my attention. I'll give you my mobile number and I would like to know as soon as it occurs so that I can rectify it.

00:10:35 s36

It's a different model.

00:10:46 s36

Alright, thank you.

00:11:08 s36

That is wonderful news.

00:11:12 s36

It should be said that this is a unique acquisition, I've never seen one in Tasmania at least where the governments having to deal with, I think they would have to deal with the Commonwealth Environmental Agency, I don't think it's ever happened before. It's virgin territory for pretty much everybody.

00:11:21 s36

Correct. Yeah, it's a completely different kettle of fish.

00:11:25 s36

That's supporting the issue of consent, which is why I raised it. Now the government has to have my consent. By under the EPBC Act and that's what I think is really important. It's not like, you know, the Midlands Highway where you can just say we're doing it and bugger off, you know, pardon my language.

00:11:35 s36

Because there's no threatened species...

00:11:44 s36

Because there's no...

00:11:45 s36

It's the offset though...

00:11:49 s36

It is mainly just the offset though, so in terms of if this were just the taking of land. There are no environmental values, we would...

00:11:57 s36

Yeah. As we said, when I first heard about this in 2018 and I was told by representatives of State Growth, this is just bush, and I pointed out that it wasn't just bush and I think there was a fatal error. I gave them all the literature. This is the perhaps the most studied and best managed piece Orchid territory in Australia, quite frankly, and they were very, it was very clear that this was not just bush and that was made clear again in 2019 when I heard about this project. And I'd like to also record, I heard about it on the radio when a friend of my late husband rang me up. I was not consulted beforehand and so this goes back a very long way and I think one of the, as was pointing out, one of the things that that failed to be done, there was no risk analysis, there appears to be no risk analysis, so you might you might be able to correct that...

00:12:50 s36

I don't suppose it's too late to use the golf course.

00:12:53 s36

So, there was no, as I understand it, I mean you can fill me in. I mean, I've asked if there was a risk analysis done and...

00:13:01 s36

That really doesn't matter at this point though, like, like in terms of, we've got a clear message. They've got a nice clean slate here. Everybody's on the same page and.

00:13:08 s36

But what I'm saying is if people looked before they leaped a lot of this would not have happened and we wouldn't be here.

00:13:15

Can I just clarify, my understanding is your preference is dealing directly with someone within the department, but more than happy for you to just go to s36.

00:13:27 s36

Well, I want to deal with the person who treats me with respect and who actually listens and who provides information in a timely manner. And one of the elements of disrespect and not enabling me to make decisions is failure to provide information now over that you've been very good. Some of this information I've been asking for for over 2 and 1/2 years. And the only way I've been able to get it is by saying, well, you can't do any site inspections until you send it to me.

00:13:53 s36

Actually, I'll reinforce that. I commend you for the work that you've been doing.

00:13:54 s36

And I'm afraid that that's not acceptable, and I also need time. Yeah, we do. And it's been a great step forward having you on board. Thank you very much.

00:14:04

Well, I do have to give credit to . They were already a lot of them already sent to you, but then just...

00:14:12 s36

Only in the last month, just before I've been waiting, asking in writing many, many times and it only started trickling out about 3 weeks ago, 3 weeks, 4 weeks ago, OK. And there's records of all that.

00:14:26 s36

And I will say if I'm going to be the contact person, I will need to work closely with the department and I'll need to wait for them to provide information to me, but at least I can give you up to date and say this is what I'm waiting on and I can keep a record of what's still outstanding.

00:14:41 s36

I might send my list of questions to you then if you haven't seen it already, but as of the 22nd of March, I've put them all in a spreadsheet in the end because it was just impossible to keep, I had a list of, I think 32 questions of me and an equal number back, none of which have been responded to.

00:15:02 s36

So, it's clearly been, I can't think of a better way to give you this, it's clearly been doing s36 head in for a few years, that's an expression that everyone, it has been s36, it has been doing your head in.

00:15:15 s36

It's certainly been filling my headspace.

00:15:17 s36

Yeah, that's what I mean, that's what I mean. So, it's, what you said is excellent and I think we move forward on that on that basis. Line in the sand, off we go.

00:15:26 s36

Yeah, I was going to say it changes today.

00:15:28 s36

Yeah. Well, thank you. Yeah, I mean, and I think the other thing is that I have to be allowed time to read this stuff. So being sent things last Friday and expecting to make a decision today so you can come in tomorrow is not adequate.

00:15:42 s36

OK. Did we want to move to whatever item s36 needs to address around, yeah.

00:15:47 s36

Well, I just, very shortly, but I think you know, perhaps let's have a look, we've covered off on consent maybe for now.

00:15:57 s36

We're up to five and the proposed timeline, I think that.

00:16:00 s36

So, I'm not sure if we know too much about that, but still that, item five about timelines for the project I guess. Because the department can move forward with the project.

00:16:10

Yeah, I did have something. I can't. so, I Received something in email that I Friday afternoon really quickly so The reason that.

(Discussion regarding the ongoing alarm sounding on s36 phone has been omitted).

00:16:47 s36

Can I just ask a question? In a past life, I did project management, time critical, very important, short time spent, project management. We always use project management software. We haven't seen any of it. Does this department use project management software?

00:17:04

Yeah, we do in using the Gantt chart.

00:17:10 s36

I think the problem with this project might be it depending a lot on advice from the Commonwealth, which you can't really put into...

00:17:17 s36

But you must have your own timelines or decision and critical dates like you know.

00:17:18 s36

Yeah, but it gives you a timeline and who's responsible. So that you can look it through and go OK, we're not, this isn't happening because someone has done something...

00:17:32 s36

So, you want something that shows a critical path?

00:17:34 s36

Well, I suspect it's being done several times.

00:17:35 s36

I've asked for this for over a year, OK?

00:17:40 s36

Yeah, look, it can change, but if it's, if it's in project management stuff, you can actually see what's...

00:17:45 s36

I was going to say, you guys would like to confirm that there is actually a timeline and again...

00:17:47 s36

What's holding it up? Yeah.

00:17:49 s36

A lot of this s36, there was sort of, the department didn't know what it didn't know to just getting into...

00:17:55 s36

Yes, I understand that but, this is a complex project, and you can't run it on an Excel spreadsheet. I've been asking for this for over a year, and it hasn't been shared with me. And given that I'm one of the critical components and decisions that I make affect your timeline, you know, not in a diverse way, but if you need my approval on, you know the 13th of June, for example, that should be presumably in your project management software, you know there's conditions precedent and I've been asking for this and it's been denied me, so we need to see that as well, because we've got to try and work together on this, you know, this adversarial approach has got to stop.

00:18:37 s36

You've got to be mindful too, that there is commercial and confidence stuff in this process too, so there is to be a little bit of a balance, you can't have everything.

00:18:42 s36

There's a balance where you can't have everything.

00:18:44 s36

Yeah. Look, I don't want to know about the costings of the road here and all that sort of Stuff. But you know, if you know, and I'm prepared to sign a non-disclosure agreement, I mean I know enough about it already anyway, but I'm prepared to sign it if you require, you know, but we need to know because like I'm working in the dark, I've been kept in the dark and I'd have to say I've been deliberately kept in the dark as far as I can ascertain and it's counterproductive to do that.

00:19:11

I can't tell you, like, the whole program, the end goal and all that, but what I've been, what I've seen just briefly, so we really wanted to do the survey tomorrow because it's already all lined up. I know that you said that, OK, they're not dormant until July, but then after May 23rd, 24th, then we have this put all those reports together and then go send it to Commonwealth and then they will have to allow two months or something, you know, to do all those things. If we miss this week, then all the dates get pushed out.

00:19:44 s36

Yeah, well, this is why, you know, if this had been shared with us before today, you know, it helps us understand, you know, why it's so something so critical.

00:19:55 s36

Well, I guess that's why sort of started instigating things when I was away. You know how we arranged back in March these dates this week? Things happened, sort of fired up while I was away, didn't they? There were some attempts to get North Barker staff out here in April...

00:20:11 s36

Well, one of them was at Easter and I resent being asked to work on Easter Monday and Tuesday quite frankly, and the other one was a public holiday. So, you know, there's been a huge expectation that I should be available when any of you people want me to, totally and utterly regardless of any respect for me or my family.

00:20:30

Yeah, I think it's reasonable for you to understand all these dates lined up.

00:20:34 s36

Well, because otherwise, we're guessing, you know, and all, it seems like you know, is, anyway, as s36k said, we're going to move on from that...

00:20:42

Because I can't, I can't tell you the entire program, when they want to, you know, they're finished construction on it. What I can tell you, what I can find, at least when I go back is why we have to do it this week and you know the flow-on effect from there.

00:20:57 s36

What if that point gets resolved with the departments and or pitt&sherry have indicated they're using a project management software, if what can sensibly be provided from that programming to you is provided, then you've got a bit of a bigger picture and you know where you're sitting at.

00:21:17 s36

You can extract from most programs sheets that apply to certain people. You know that some data is not shared.

00:21:20 s36

So, if pitt&sherry and all the department went and did that to the extent that they can based on what they know now? Is that a good start for that?

00:21:28 s36

Yeah, that that would be an excellent start and maybe we can resolve.

00:21:32 s36

There are times that, particularly in consultancy that you know, some projects drop off and all of a sudden, we're available and they do try and get us to move onto other projects as well so that we're not losing time. Is it a case of you haven't been made aware of what studies or investigations need to be done and they're just kind of being dropped on you and being that you're being told we need to do this in a certain amount of time, or are you being told the investigations happen and then you get no notice as to when someone's coming down? Right. OK.

00:22:00 s36

I get almost no notice. And I mean, this happened with you, s36, that when you tried to come in, I was here with TasNetworks. I've already communicated a week before that I wasn't available that date. Someone didn't tell you, you know, and I'm down, I'm a kilometre away with TasNetworks doing another assessment down in the wetlands. So, you know, that sort of thing, you know, we waste everyone's time.

00:22:23 s36

So is it the case that we need to provide some guidance as to what we need to do so that we can make sure that you've got all the information that you need to make an informed decision as to what it is we need to do, would that then mitigate if we do have short time frames and can only give you a couple of days' notice?

00:22:41 s36

Look, I have a lot of people coming on the property. You and everybody else, TasNetworks, TasWater, GHD are down the other end doing a water survey, they contact me and ask you know.

00:22:52 s36

I think what we're saying is that sometimes pitt&sherry gets some fresh air, some availability because of something else, and then they've said there's an opportunity to deploy that resource to this project and they can only give you some they can give you notice in those cases, but only so much because of the scenario.

00:23:02 s36

I understand that.

00:23:08 s36

So, I guess my question is, what is your preference for notice period? How long do we have to get anything up to you?

00:23:12 s36

Well, I give everyone, TasNetworks and everyone a week at an absolute minimum. Because like some days and I've already communicated this with some days I'm not here and I don't allow people on this property without giving me notice. It's in everyone's manual. It's in Aurora's manual. Every agency that comes on, one week minimum, but if you require me to read a 21 page document beforehand, then you're going to have to give me more notice to do that, because I'm not only running a farm and another business, I'm doing this and I'm a sole parent and I can't be expected to be given a document the day before and expected to read it overnight.

00:23:46 s36

So, I think in our planning it's helpful for us to know that. Yes, seven days, I would say seven days is the absolute minimum. Any longer is preferred. So, then we need to factor that into our planning time. So, yes.

00:24:05 s36

That's why I've been asking for the project management stuff so that you can attempt to factor this in.

00:24:16 s36

Having said that too, I think, you know, you're reasonable too. If something needs to be done, it's the way it's communicated. It's just the simple way it's communicated, and you know, seven days, yes is ideal, but sometimes, a simple phone call explaining a situation to you, you may be available, you may not be available.

00:24:34 s36

But we've been given information on the Sunday night for something to occur the next morning.

00:24:40 s36

And that's completely unreasonable.

00:24:42 s36

It's been very, very often.

00:24:43 s36

I'm not saying it hasn't happened. I know it happens. But it's unreasonable and if you've voiced those concerns and it's been something that's been ignored, again, I apologise for that. That's not going to happen anymore.

00:24:48 s36

If so, I'm aware of that and it's stressful. I've had to go and have medical attention for this. It is extremely stressful.

00:25:01

And noting s36 doesn't work on farm work on Thursday and Friday.

00:25:09 s36

Yes, but I'm not prepared to deal with government emails on the weekends or out of hours.

(Discussion regarding the ongoing alarm sounding on s36 phone has been omitted).

00:25:14 s36

Can I suggest rather like s36 and his team are normally the people that need to come here? So rather than going through many people before s36, is there a way that we can just cut out everyone else? Or at least s36?

00:25:38 s36

It will all come through me.

00:25:39 s36

But it doesn't have to go through DSG.

00:25:41

can just let us know.

00:25:45 s36

I have everybody's numbers. I can make stuff happen quickly.

00:25:50 s36

I was just, to make sure that there's no hold up because that, I understand that might be where there are holdups with the communication as it goes through several people because we were all under the understanding that it had to go, you know, through s36 to pitt&sherry to DSG and all the way back through, if s36 could just communicate with s36 about those kind of things then it might be a bit easier.

00:26:13 s36

Well, that's up to you to sort out.

00:26:16 s36

We don't object to that.

00:26:17 s36

Whatever's more efficient and more respectful and that, you know, allows me to...

00:26:22 s36

Yeah, I was going to say our our internal process may need to be refined a little bit. But at the end of the day, it's going to be me who's contacting s36 to say, can we come and do this on this day?

00:26:32 s36

Which is different to what we understood before, which was that DSG, that you preferred DSG...

00:26:37 s36

I had no preference, but I wasn't given any opportunity to have any input quite frankly.

00:26:43 s36

That's good to know now.

00:26:45 s36

And you know, we can put a timeline up on the wall, you know and then we can all look at it, that'd be a really good thing. You know, we print it out and can at least see where we are and what's expected because you know, I want to have a short holiday in July. Now, am I allowed to have a holiday because.

00:26:59 s36

Of course, you are.

00:26:59 s36

Sure, yes. But you know, in the absence of your timeline. And then someone says to me, s36, we have to have X and I'm going to be in Kuala Lumpur, what's going to happen then?

00:27:11 s36

You'd like some forward planning, so you can plan your own.

00:27:14 s36

Well, I'm a planner.

00:27:17

Well, if you tell us that you're not going to be here in July, we'll just work around you.

00:27:22 s36

Well, that's all very Well, but like you know, I can't well and well, let's get the timeline and see and then I can work out when I can go away.

00:27:29 s36

So is six, is six the big-ticket item? Why s36 here, or is that eight?

00:27:34 s36

There's just one more question. Hang on. Can we just finish five, please, and then we, then we'll get on to it. So, what's your expectation of how much work per week I'm supposed to do?

00:27:47

I have no...

00:27:49 s36

Because they they, they can't...

00:27:51 s36

s36, to be honest, I don't know exactly how much work is going to be involved for me every week, right? So, it's difficult for me without knowing all of the parts of the puzzle, I wouldn't be able to answer that question.

00:28:08 s36

Right. OK, well, I think perhaps you should look at some of the stuff I've been sent and assess it. But for example, the 32 questions that existed up to March the 22nd, I averaged an hour. Now that's 32 hours of work dealing with them. Some will be shorter, some are a lot longer, and then there's about another 20 questions I've been sent since, all of which I'm expected to answer, some of which is actually project management work. So, I think we've discussed this. A lot of the project management side is quietly pushed onto me. Now I'm a member of the public and I'm not being paid. So, this has got to go in your timeline because if I'm being landed with 25 things to read, just like a number out here and you need them read by next Tuesday because you need something to happen, well, that's not reasonable, so that's going to affect your timeline. So, I think you need to give some thought as to what is a reasonable amount of work you expect me to do per week and factor that into your revised project management time.

00:29:07 s36

And that's something that I'd be able to give advice when we are sending documents to you to read, how long would it take me to read it and then...

00:29:16 s36

But bear in mind I'm also a trained scientist. Yeah, I'm going to be going through this in detail because, you know, it's my land. I need to understand what's going on here, because I'm the current custodian and as I said, it's been managed by us for 193 years. And I'm not just going to give up, nor should I be expected to. So that has to be factored into your timeline.

s36 left the meeting. Discussion regarding s36 departure has been omitted).

00:30:15 s36

Well, we've covered off item 5 now, I think, OK? We do have, how's the time going, 10:32. Yeah, we've still got, are you able to stay a little bit longer than 11 or anyone else in a rush to leave? Well, maybe touch on item 6 very quickly then. Now, legal advice for me. I do have ongoing legal advice on the compensation side, but I do need ongoing legal advice on matters related to the fine effects and that's I've been told that The budget was \$3000 well, that's perhaps we're already close to that.

00:31:04 s36

Was it three or was it five? I can't recall.

00:31:07 s36

Well, anyway we whatever it is, when that money runs out, I have to stop. So, I need approval to have legal advice on the EPBC matter, right?

00:31:20 s36

I'll just provide some context. So, the department traditionally and councils do this too, legal and expert costs reasonably incurred as a result of an acquisition or to deal with it form part of costs under Section 48 of the legislation that there's an obligation to reimburse. Now there is a formal process that acts like a bit like a taxation. If you do it to the letter of the law. The department, acquiring authorities generally don't adhere that process strictly because they take the view that members of the public shouldn't have to carry the costs throughout the process because a lot, a lot, are unable to as well and then settle it up at the end. There's a process where, at least for legal costs associated with the acquisition, they're paid on more or less a do and charge basis, and the department or the acquiring authorities, I'll just say the department, keeps track of it and provided invoices rendered are fully itemized and everything provided that they're reasonable and represent work that on its face is part of it, happy to pay it on a do and charge basis. That's happening with my fees s36, and it's an unusual situation... s36 is on board in a very specific legal case which is to do with the conservation and the environmental element. So the department through the request was made for an amount, and I can't remember what that was, I'd need to go back to the files, but a certain amount was sort of pre-approved. So, s36 did all of this...

00:32:55 s36

So, like a retainer?

00:32:57 s36

No, no, just a sum. So, for the lawyers it's do and charge, for valuers, yes, they normally do their job and at the end of the process, when the claim gets filed, they will be, their money comes in. There's been an interim payment on valuation here because this one's going to take so long and the valuer was left holding the bag, "Well, I've got this bill that's two years outstanding" or whatever so there's then an interim payment with the valuer, which doesn't normally happen, so that's a good accommodation. The valuer is sitting tight for the minute, not incurring costs because we need to deal with conservation and everything else before the valuer steps back in, once everything is known, the valuer steps back in.

s36 a bit like, sometimes valuer need to engage an expert to assist them with evaluation. He's sort of, he's not quite that, but he's sitting in that box in terms of fees. So, you identify the need for it, put it to the department and then pre approve an amount. Rolls a bit different, but he's not like, you know, if you need to get an engineer to do a set \$1500 worth of work, you explain that to the department, department would say, OK yes or no. So, they say yes, the work is done and the invoice for \$1500 is brought through. The departments got certainty about how much that cost before they approved it. He sits in that bucket, but he's not quite in that same role because we don't, he's not, oh, it's going to be \$1500 and done, we just don't know. So, there's an amount that's been pre-approved, I think what s36 saying is how for one, it is. I mean it depends on the department's attitude, there's two ways to do it. There's s36 running on a bit of a do and charge a bit like I do or there's, we preapprove tranches for s36 as we go. I don't have a view as to which way is best but...

00:34:47 s36

He was asked to quote, and he said he said this is even up to the time before we get the management plan, he said, he gave a fee which like let's say it was three or four thousand dollars, I can't remember exactly. I think it was four and he said it's impossible to estimate. But you know, basically, he said. But I, you know, this puts me in a very bad position because I need to know like what is a covenant, what does it actually mean for me and my daughter or whoever takes over this farm after I'm dead? There's a whole lot of information...

00:35:16 s36

What s36 basically saying is that she would like a bit more, she'd like a little more assurance around the department, providing some assurance of paying, whatever, of paying s36 reasonable fees of advising you into the process. You've more or less got that...

00:35:31 s36

Well, no I haven't.

00:35:32 s36

As in no one's said they won't. What's happened is there's a first, there's a first tranche that's been approved. I don't know where we're up to...

00:35:40 s36

Well, we're a fair way through the first tranche because, you know, briefing someone, giving them four years has taken a lot of time...

00:35:44 s36

OK, so how I propose to deal with it is like s36 lets us, lets me know, lets you know, I'm happy to liaise with him, when we're getting close to that amount, that figure...

00:35:59 s36

Well, let's say we're close to that.

00:36:00 s36

OK, so I would go back to s36, then ask him what he thinks the next tranche should be, and then we put that request to the department. That's normally how it would work.

00:36:10 s36

Would you like to answer this one or would you like me to?

00:36:13

Yeah, well, I presume that with this agreement that we got the OK from the OVG?

00:36:20 s36

The OVG's agreed a fixed sum, not with the view that it's the final amount at all, but with the view that the department likes to have some sort of certainty around that before giving the tick. And then if there's another tranche, we say, look, we think it's going to be at least another five. So, we get approval for that...

00:36:38 s36

And that's up to the point where I get the offset management plan, and then there's another tranche after that. I mean, I've been sent bills, right? Now, why should I be expected to be the bank for the government? Frankly, I don't know.

00:36:52 s36

... So, what you can do is you can, we can, provided the departments happy with it, that we could do with s36 but in a trench way, not a do and charge way the same thing I do, which is my accounts get sent straight to s36 at the OVG's office.

00:37:06 s36

Well, that would be preferable for everybody, but you know we need you to agree to that.

00:37:12 s36

I was going to say, that I'm going to assume, and please correct me if I'm wrong, but that would probably be the departments preferred.

00:37:19 s36

Yes, you don't have to handle it, it just goes to the OVG.

00:37:20 s36

Correct, and I think as long as everybody's on the same page that it's and I'm not suggesting that we're not, haven't been, as it is reasonable costs because we, I've been involved on projects where people have been using lawyers for things that are not related to the projects that are trying to send those to the department.

00:37:31 s36

Within any improvements?

00:37:38 s36

Well, I don't have anything not related to the project.

00:37:42 s36

The department's potential apprehension around this is, again or good expression, number of people who have land acquired off them, take the **** in terms of fees. You're not doing that. No, I can say with certainty.

00:37:58 s36

How did they do it?

00:38:02 s36

They just crank it up, they go, oh well, while you're here, how about you give me some advice, I've been wondering about this, and then charge it to the department. The lawyer should say no...

00:38:14 s36

No, no. But they will anyway, because at the end of the day, the lawyer just wants to get paid. They don't...

00:38:24 s36

But that's the other half of the point where the apprehension comes from the department, they've got to be sure that in terms of spending public funds that they're doing it properly. What I propose. To do is what if I flick an email, look I'll liaise with s36, figure out where we're up to in terms of the current tranche that's been approved through the OVG, ask him what he thinks a reasonable further tranche might be. It's probably just going to be the same as what this one is like; it was 3 or I think it might have been five. Well, whatever it is, and I'll then get in touch with s36 and say, look, can we get an approval for a further five, we'll get to the end of that...

00:39:02 s36

Or whatever number and suggest...

00:39:03 s36

I'll talk to him about that. And he sends invoices directly to s36 So that you're. Not so that you're not getting it and the departments...

00:39:15 s36

At the end of the day, in the scheme of things, in the scheme of the project and the entire program as a whole, we're talking church change, and it's more of a process of how can we release that pressure from s36 to feel that she needs to pay for them when there's actually a mechanism in place that the government can pay them directly. That's what I think we need to put in place, because that's one stress that we can alleviate pretty quickly.

00:39:40 s36

Thank you. That's great because you know, I mean it's bad...

00:39:43 s36

I can just take it off you and I can take that completely out of your hands. You don't need to think about that. When the buckets looking like it's getting toward empty, can you please get in touch with me and I'll liaise with s36 and the department to get a pre-approval, it's all about pre-approval so that he knows how much he's got, the department knows how much they're up for and as you said it's chump change in the context of his project.

00:40:08 s36

Yeah, but it's also we need to have a level of trust that s36 is yeah, is doing his job. We're working in integrity. We're working to the same outcome.

00:40:21 s36

And normally that's him providing you with the fully itemized, you know with reports. So, you can see line items. You can see how much time was spent and description of what it was expended on. He is only, I am only doing the compensation claim side of it, he is as far as I know as far as saying only doing work and advising s36 around the end goal of getting whatever offset...

00:40:46 s36

Well, it's all the implications of the EPBC Act. Because there was someone in s36 department, but she was on maternity leave at the time, otherwise it would have been done. The alternative for me to was to go interstate which would have cost you twice as much. You know, we've found someone who's cost effective who's here, if I'd had to wait, you know, we wouldn't have even been able to get this far.

00:41:12 s36

If we can put a mechanism in place that removes that pressure... action noted.

00:41:15 s36

Yeah, that would be fantastic. Thank you.

00:41:20

Sounds more reasonable, but I do have to say it's up to the OVG to assess...

00:41:24 s36

Yes. I don't expect there to be a problem from the OVGs point of view, provided it's reasonable and related to the acquisition which it is in this case, there won't be an issue. Part of the difficulty was I think didn't understand the concept of how that all works and so seemed to be skeptical of it when we were raising it...

00:41:50 s36

And that is potentially because it has been for abused on other projects.

00:41:57 s36

Oh, no, I don't doubt it. I'm one of those practitioners where I'm on the receiving end of dealing with the fallout from other people who have abused it. Therefore, the department approaches me and my clients with skepticism. Yeah, so that's annoying, but all I can do is not add fuel to that by making sure that it's...

00:42:15 s36

I mean, at the end of the day, we are spending government money. We are spending public funds. It's still got to go through a process, but we can certainly put in that mechanism.

00:42:24 s36

Yeah, right. Well, thank you. Alright, we'll tick off number 6. Two things. Is anyone getting cold? Because it can turn the heat on...

00:42:25 s36

I'll deal with s36 so you're not getting any more bills.

00:42:44 s36

Are you point eight, s36

00:42:47 s36

Yep.

00:42:47 s36

We might skip over, we might prioritise that over seven, provided s36 happy to do that...

00:42:50 s36

Yeah, I think seven, we can park that for a while, but...

00:42:55

... Because sevens Jurassic Park.

00:42:58 s36

Take it, take it away and leave it, yeah.

00:43:02 s36

I can really quickly canvas seven then and then people can go and read it. The key thing about this compensatory planting plot is it has nothing to do with this acquisition. That's the critical, that's the first thing to understand about it. It was an arrangement that s36 reached with, I'm not sure who, but it was to do with trying to conserve an extremely rare eucalypt that was removed from land opposite the runway. So, it actually has no bearing on the taking of any of the land from Milford. It's nothing to do

with orchids, it's got everything to do with this eucalypt, so technically, it's just a side arrangement that falls outside of the acquisition in its entirety and assuming, but I don't know if we know this, assuming that some of the eucalypts that are growing in there as a result of the planting are actually the species that was looking to be conserved...

00:44:09 s36

Yeah, we don't know. Anyway, that's detail we can worry about later.

00:44:10 s36

We don't know that, right? And this is why s36 in the past has suggested it might be a good idea to do some testing to see if any of them actually grew. Because there is no point having that there. That's right, because it's important because, two fundamental things. Nothing to do with the acquisition, two, it may be pointless if it hasn't actually resulted in any of these particular eucalyptus growing.

00:44:35 s36

That we won't know for five years. You've already had it for two years and I haven't been compensated for it. I was told, the last words I was told were that it was with the Solicitor General's office and they're very slow and that was two years ago.

00:44:45 s36

It's been referred to as compensatory planting, but it's not... it's not compensatory planting full stop. It's an attempt to preserve, we hope, the seed collected from opposite the airport.

00:44:47 s36

It's not the compensatory planting for this project.

00:45:06 s36

Well, I half agree with what you're saying and half, I mean that I'm, I've provided in my, well, hopefully s36, you have seen this by now.

00:45:22 s36

Which one's that?

00:45:20 s36

The habitat impact assessment?

00:45:22 s36

Is that the? Yes, I got that in, which version is that? Is that the one we got last week?

00:45:27 s36

February 2020.

00:45:27 s36

00:45:30 s36

Well, I know it was sent to you last week.

00:45:32 s36

Yeah, I think I first got it in April.

00:45:34 s36

Right. Yeah. OK, so this here...

00:45:36 s36

And I haven't read it all, quite frankly, because I was sent so many documents.

00:45:41 s36

Anyway I write about this planting in there and it's not doesn't, it's clearly not picked up by as part of the referral, but it was nominated early in the place, it was a suggestion that I'd made around the loss of forests that would result from this project and compensating for that and this area was identified. Now that's how I suggested in my recommendation. I made the recommendation. No one forced it, it was never a requirement, it's not a condition of any permit. It was made during the natural values assessment, so I talked about in here, that white gums, "planting more white gums to compensate the white gums lost", because I anticipated that it should be picked up by, at some point in the planning process, and never was to any degree where Council's condition...

00:46:32 s36

I disagree with that. It was purely to conserve...

00:46:36 s36

Well, once we....

00:46:38 s36

s36, he's not saying that, s36 not saying it is being used for that, he's saying that he suggested it could be at some point but it doesn't look like that's been picked up.

00:46:44 s36

And then, what happened was, this issue with the tree being removed happened and we, our suggestion was, well, let's use that area for the seeds from that within the planting. So that's...

00:46:58 s36

Well, there was a discussion as to whether to use the Hobart Airport or here and I offered some land on a lease basis. And here we are, two years later. I mean, I've got other leases on this property, everyone's got a lease agreement. CSIRO lease land almost next door to it, you have a legal agreement, and you get paid your lease amount and it's not that hard, so.

00:47:14 s36

So, it's more that, it's, if that suggestion was put forward that it be in some way part of the offset as far as we know, that hasn't been told.

00:47:23 s36

Well, this is because the offset, you're dealing with Council approvals process as well before anything has even gone to the DA, you know what, Council are going to require. I had a different interpretation to Council about the, there's an overlay that should have been on this property that for some reason wasn't which meant they couldn't really impose conditions around biodiversity protection. That's a planning error, I think, because if there's one area of forests in Clarence that should have been under biodiversity protection it should have been this one but that could have been aside. Also, strategically it made sense, because this is where the orchid habitat is. And this is paddock. And this is the planting area, and to plant in here will provide over 100 years some sort of buffer, we talked about that...

00:48:05 s36

Well, that that might be the case, but at the moment it's a massive weed and it hasn't been weeded. It's a total mess, and it needs to be fixed.

00:48:14 s36

Apart from the legal aspect, the capital L legal aspect of the Crown solicitor putting together a proposed lease, understands what they're doing for that to mean you, of course, deal with that. That's fine. What we need to either rule in or rule out is, you know, agreement across everybody is the relevance of that plot to the acquisition on Milford and the consequent environmental measures. As far as we're concerned it's not part of it, but if there's something we don't know it would be great to get that clarified because presumably that would need to form some part of the lease anyway it would need to be part of why the land is being leased and it would then because if it's part of that the acquisition there, there may well be covenants and obligations and various things that form part of the lease that otherwise wouldn't be in there. So, I don't know whose task that is...

00:49:08 s36

I think we should try and keep it simple, but the other thing I've been asking for for two years is the management plan for this.

00:49:14 s36

Oh yeah, for the area, yeah.

00:49:15 s36

And that's got to be part of the lease as it is...

00:49:18 s36

It will be.

00:49:19 s36

But there is no management plan and I've been told my face and DCCEEW have been told to their faces and in writing that a management plan exists. Now, I spoke to the manager, the person trying to do management on Friday, and he hasn't been involved, so that's a straight out untruth. Now that has to be addressed immediately because it's a fire hazard and it's an immediate hazard. The grass is over, it was over a metre tall last summer. I've had Tas Fire Service here, it's right next to Unit 1 and these areas are internally protected from anywhere from the roads except it's all coming from this block that's just been left to go to rack and ruin essentially.

00:50:04 s36

It's interesting you say that s36, because I mean the first thing I say is "prepare a management plan within the first 12 months".

00:50:10 s36

Well, it hasn't been done.

00:50:10 s36

So, what was the person doing here?

00:50:15 s36

Well, there was a contractor contracted and he was asked how he would go about it and he's written a half page email. Now a management plan is not a half page email. It has objectives, it has targets. It has a budget. All this, none of that exists. I have to say, it's an outright lie, that it does because it doesn't. And we've been lied to and DCCEEW has been lied to and we need a management plan.

00:50:41 s36

I'm just curious what activities he was doing.

00:50:43 s36

Well, he was the first thing in the site preparation and then the plan was originally he was going to plant ground cover and then he was told by pitt&sherry, no, you've got to plant these trees straight away because we need to put it into the EPBC document for the other things. So, he put the trees in without the ground cover, because he was told to. And that's now the cause of the problem. So, he went and tried to plant ground cover retrospectively last year, and now he's being told there's no money to do it again. So, it needs to be sorted out.

00:51:15 s36

Does he just observe, like come to check on it, or?

00:51:17 s36

No, he was actually doing the work. I rang him up.

00:51:21 s36

I thought you said he came here last week.

00:51:22 s36

No, he hasn't been here for months because he's got no budget to come here.

00:51:23 s36

OK sorry, misunderstood. Got you now.

00:51:27 s36

But he has been liaising with pitt&sherry, but it's got to be brought in and dealt with because now it's a threat to the orchids, all this stuff about managing the orchids is going out the window because...

00:51:40 s36

Because we've set up something that's a potential threat.

00:51:44 s36

I've got the Pines Landscaping and I've got CSIRO. Both their leases have clauses in there about how they must manage their property, and they adhere to them.

00:51:51 s36

It will form part of the license, but I suspect you're going to tell me you won't sign it unless you've got a management plan in place...

00:51:58 s36

Of course, I won't, no.

00:51:58 s36

So, they will dovetail.

00:52:00 s36

Well, you better get on with it because it's been two years.

00:52:02 s36

OK, so action for me and I'll put this this for the recording. I need to chase up with the Solicitor General's office as to where that lease agreement is. We need to chase up the management plan, we're assuming that one doesn't exist, if one doesn't exist, one needs to exist.

00:52:15 s36

And just on that, the contractors name is s36, and you'd know him, s36, now they...

00:52:26 s36

I was just going to ask who the contractor was.

00:52:27 s36

It's considered unethical for the person doing the contracting to write the management plan. And he's an ethical person, so he chose not to do that. But nobody's...

00:52:46 s36

Who was it from pitt&sherry that gave the instructions? Was it s36?

00:52:49 s36

s36. And this is two years ago. And it's totally and utterly unacceptable. And if there's a fire there and it gets in through the forest, you know, it's going to be quite serious.

00:53:05

I have to say there is actually currently a proposal sitting on my desk just to be approved. I don't know whether it's related to this...

00:53:15 s36

Right, but there needs to be an actual plan, with objectives, I mean you, you know, give them a template for a management plan, I mean you can download templates for management plans.

00:53:31 s36

Leave that one with me. I'm happy to touch base with the Solicitor General, find out where we're at with that, but yes it does sound like it's not directly related with the project, that it's related to the one that's just been completed, but it has flow on effects and implications to this project.

00:53:54 s36

Unintentionally, yes.

00:53:55 s36

The whole thing about this is, I think the thing about this, well, I'll just go back to recording, I think what's going to be realised is that I'm agreeing to a package essentially. And I'm not prepared to agree on a piece meal basis, oh s36 agree to that bit, we're going to slip these other things in here and, you know, bad luck for you. And that hasn't happened, and that's got to change.

00:54:13 s36

You need to see there's a holistic package...

00:54:20 s36

Yes. So, in terms of the in terms of documents, it's a matter of getting some visibility on the lease paired with the management plan to go along with the leased area. And presumably the lease will propose some sort of access license so they can get in and out, yeah? Which is normal.

00:54:38 s36

And they've got the wrong tracks marked on it...

00:54:40 s36

And so it's that, that's the paperwork, the bit that's come up just now that I want to, we need to know one way or the other is if there are any plans to have that area form part of the offset that is related to the acquisition, we're not aware of that. If that's part of the plan, we need to know that too.

00:55:04 s36

Well, initially I was told it was and then I was told it wasn't. And I've got no idea.

00:55:07 s36

No, I don't see how it can be unless it will, unless you're...

00:55:09 s36

I don't see how it can be when it's related to a separate project but that's something I would need to...

00:55:15 s36

s36 said, like, there may be some sense in that. I don't know.

00:55:21 s36

But it's got nothing to do with the EPBC referral as far, as I said, the Commonwealth, my understanding is the Commonwealth are not engaged with that as being forming part of what they're seeking as an offset.

00:55:31 s36

No, it's the orchids, right?

00:55:33 s36

Well, yeah. I mean they are; they've focused their attention on two matters of national environmental significance. They could have picked a whole bunch and they picked these two. And its things related to that. And that's two species of orchid that occurred...

00:55:45 s36

Yep, yeah, sure.

00:55:46 s36

And only those two species, and seems like it...

00:55:49 s36

Well, and the core data as well.

00:55:50 s36

Well, they don't seem to be bothered about it, do they? The ones that they're wanting, the ones that they are particularly wanting off, the reason they want this to be a, you know, this needs to be a significant impact and requires a, you know, controlled action and where the permit is around a package that includes offsets for those species. So, I don't think it's on the table as part of that.

00:56:14 s36

Well, the data has to be assessed as well. It's a listed species.

00:56:20 s36

Look, it has been assessed. I'm not defending their positions. I'm just explaining what matters that they've focused down on and we've had...

00:56:23 s36

All right, before we get into that, maybe, so if we finish then, do we agree then that this will be dealt with as a matter of some urgency? Thank you.

00:56:37 s36

Yes.

00:56:39 s36

So, it sounds like it's not part of the environmental aspects of the acquisition, just get the paperwork and get that underway as a side issue just cause it is sitting there, it is growing weeds. It's just not being productive.

00:56:52 s36

In the Department's defense, the Solicitor General's office...

00:56:58 s36

They take as long as they take. You can't push them to do anything.

00:56:58 s36

Is, yes, slow would be the polite term.

00:57:05 s36

Two years is quite a long time.

00:57:07 s36

They wouldn't have been instructed that long back, though, that's the thing. They've probably been instructed recently. I suggest.

00:57:12 s36

What?

00:57:14 s36

There's no way, OK... Maybe they have, but there's no, I would be shocked that the crown solicitor was instructed three years ago to prepare what is a relatively straightforward document...

00:57:21 s36

But we can at least make contact and see where it's at in the process and get an estimate from them as to how much longer.

00:57:27 s36

Well, I was told that they...

00:57:29 s36

This is only a few hours work. They have extensive templates; they populate them with the variables.

00:57:33 s36

Well, I was told it had gone to the solicitor general's office two years ago.

00:57:37 s36

Chase it up and let us know.

00:57:41 s36

For the purposes of moving forward, leave it with me.

00:57:42 s36

I know they're busy, but that seems... now we're on, we're on to 8. This is you, s36?

00:58:02 s36

I think look just, thank you everyone for the discussion today. It's cleared the air a lot and you can see why I needed to raise these for background, because it is a holistic thing that's being considered here, so I think it's really important and thank you for appreciating my point of view. Righto s36, over to you.

00:58:20 s36

OK so I'll probably just give a preamble. I've seen I've read the points that s36, and I'll make sure I do cover all of these, but I think it's important for the context of my involvement with the project, I'm a consultant who are through this process. Initially I was contracted directly to the department when they were doing options analysis back in. I think it was 2018 but I'd have to check.

00:58:43 s36

Doing what? What's that?

00:58:44 s36

Options analysis, when they had they were looking at three options for this road.

00:58:48 s36

When they had the roundabout, you mean?

00:58:51 s36

Yeah. And also, whether there was options, some that were entirely on the Milford property, some offline designs that were entirely on the airport, I mean on the golf course, then there's one in the middle. So, we looked at that Initial, you know what we considered to be what, you know what an environmental impacts of each of those the options and does that work...

00:59:11 s36

Did you do a report on it? Is it available?

00:59:16 s36

It's up to the client, who was the department, so they would have that...

00:59:19 s36

Could I have a copy of that please?

00:59:21 s36

That would have been, I would have thought it been part of the, that was when, if you recall, the department advertised those options, you know, on their website back then, and they had ERA Consulting who were seeing people and all that. So that, that was that period of time anyway, way back then...

00:59:41 s36

I would like to see the options analysis.

00:59:43 s36

There would have been elements of it included in the consultation and feedback report prepared by ERA.

00:59:48 s36

Yes, but I would like to see that please, because I've never been shown that.

00:59:51 s36

And then pitt&sherry were engaged to deal with this, like, you know, this whole process and they came to us and initially was the, the whole SETS projects, so our first work was looking at the entire multi-stages all the way, including Sorell Bypass, the causeways, this section right through the airport, so we did work on that. I think it was 2019, and did natural values report then for that...

01:00:18 s36

That was the Natural Values Assessment...

01:00:20 s36

Yes. So, then that was then chopped up in the different 6 stages and we've worked...

01:00:26 s36

Oh, did you do a whole of the whole?

01:00:28 s36

Yeah, it would have been the whole corridor.

01:00:29 s36

Oh, really. Oh.

01:00:30 s36

And that's when we first came out and did our surveys on your property...

01:00:33 s36

Can I have a copy of that too, please? The whole corridor please.

01:00:37 s36

Now that document would have, you would have seen it s36 during the planning hearing...

01:00:41 s36

I've seen the bit that pertained to here, I've never seen one that covered the whole thing, right?

01:00:51 s36

And then, focusing down, we then as this became a stage that was part of the development application through, you know, for approvals, we then did a report for just this section, which extended outside Milford. It was the stage of the development, so it's from the airport roundabout to well and that that was 2020. And because being each of these, what these took advantage of each time I did things, another year went by and s36 had more orchid data to supply, so we're always playing catch up a little bit with the information. So, there's that.

01:01:27 s36

Oh yeah, it doesn't change the principles of it...

01:01:29 s36

No, no, no. But it's sort of important because it kind of explains now all the time, this is the first time I sat with you, s36, in here, isn't it, to talk with you, apart from showing us where you could allow us to walk or something? We've actually not had any involvement. We've been kept at arm's length.

01:01:42 s36

I was told that, when you told me that the department had said you weren't allowed to talk to me directly. That's quite a bit counterproductive.

01:01:48 s36

Anyway, that's suppose well that well, I think it's not uncommon with consultants.

01:01:54 s36

No, it's not.

01:01:52 s36

This is a very, very complicated matter and going up a hierarchy of three people on one side and down the ladder on the other, you know, it's like Chinese whispers...

01:02:03 s36

I was just going to say, create Chinese whispers, yeah.

01:02:05 s36

You know then I'm getting a 10th of what was said, and you know, it's created a whole lot of issues, you know. Sorry, that's you know, I mean, talking is far better and getting together and having meetings are actually productive is quite a good thing so, sorry, keep going.

01:02:23 s36

Yeah. So then then we had the Council hearings for that. So, I had some involvement with that and had some evidence I put forward for that, that pertain just to the Clarence Planning Scheme.

01:02:37 s36

Because there's another 10 or more reports required for them, too, you doing all that as well?

01:02:43 s36

Not at the moment, we're not commissioned to do anything related to that. But other than that, we then, then the Commonwealth approvals process kicks in as a separate parallel to the DA and we then did a significant impact assessment which is when you look at all matters of national environmental significance that make this project and the assessment, that is often done to inform whether how you're going to couch your referral or whether you're going to try and address it and say it's not a significant impact or whether, you know, you've got some impacts, you're going to get the Commonwealth involved, but it helps them form, helps them form the referral.

01:03:25 s36

That was what, 2019 again?

01:03:27 s36

I think it's 2020...

01:03:27 s36

Because yeah, you ideally would tell them the things that you believe are impacted and then how you believe you can address the impact to smooth the way.

01:03:35 s36

September the 3rd, 2020 was the final version of that.

01:03:40 s36

Right. And that went to the feds?

01:03:43 s36

And then that went to the feds and that they then decided it was, I think they called it in as a project potentially having some controlled action and that and that they would assess it to the PD, which is a particular matter, no, what is it, preliminary documentation. Which is funny because it never is preliminary documentation.

01:04:03 s36

What does it actually mean?

01:04:06 s36

It's supposed to be that they refer using information you provided in the referral. Plus, any RFIs they might have around that. In reality it means, request for further information, but in reality, what they do is they write a whole brief for the preliminary documentation so it becomes a whole document itself. It's like a mini-EIS, isn't it? But it doesn't have, it's a smaller, you know, the next levels they can put up are where there's you can go right up to a public inquiry, you know, is that four levels and some of them have a lot of wonderful...

01:04:35 s36

What's in between? Is it an EIS?

01:04:40 s36

There's a, it's one, but it has stages with more public involvement. So typically, if it has got community, and the high level of community interest, social interest, they often will put it through that particular because there are hearings involved...

01:04:51 s36

OK.

01:04:55 s36

Not that this process doesn't have public input, but it's usually quite confined. They've got like 2 weeks. You know, it's a bit tight.

01:05:00 s36

Yeah, they've told me that, there will be, on their visit here, you were there actually, weren't you, remember when we did the walk around and they said there is already and will be a lot of community involvement in this and they've told me minimum 20 days to the public but that that might change.

01:05:19 s36

Yeah, I'd suggest it's going to be out for longer than that.

01:05:22 s36

Yeah, well, that's that, they said that's the minimum. And that's got to go into the timeline as well. So anyway, sorry. Keep going. Just trying to understand.

01:05:29 s36

So as part of the, this document that we just talked about earlier was probably 2022, that was originally in an earlier version, was included in the submission of draft preliminary documentation I presume, where so that's where I honed down and did the assessment of what the impact was to the orchids and, you know, and also pricing. That's where last time I really met with you, s36 and s36 and we and well, as we walked around and that's what I use that as the basis for my report...

01:06:10 s36

Sorry, which walk around was that? Was that when we did the strip?

01:06:13 s36

Yeah. So, this is in 2021, and then I did a report that went to pitt&sherry in about 2021 as a draft, and then that got, came back with some comments and then I went, went in the late that year into the department...

01:06:34 s36

So that's a different one than that?

01:06:35 s36

Well, it's an earlier version. This then had the department's comments and so this responded to the department's comments, so that's why there's a new one so this, that's sort of the story behind that document. And then what the department decided is that in this assessment, I'd identified a whole lot of mitigation measures and considered that if they were followed that the project wouldn't have a significant impact on any matters of national environmental significance. The department decided that they weren't comfortable with mitigation because of, I think, two reasons. One is, mitigation means they just approve it with the, you know, they can call it a matter, matter specified, that's what happened to the Hobart Airport, but they don't have any oversight. If they make it a, if they want an offset rather than mitigation, then it formalizes those actions and puts time frames and they have control of that process and how and monitoring of, so they believe that in this case and their argument...

01:07:43 s36

Sorry, we're talking the Commonwealth government, right? OK.

01:07:50 s36

We are, the Commonwealth government here, so that so they go that way, you know, they've never dealt with, they told us they never dealt with an action that involved two critically endangered species in one action or habitat of and so that to them it was a pretty significant... Yeah, you know, so that although there were no direct, all the impacts were around habitat at that time that it they took the decision that they wanted it as a controlled action or that they want these offsets formalised and this is the process we've got sort of hung up on for quite some time now, is, well since February 2022 is around establishing the offsets. So the document that, s36, you're referring to that, it's the latest one is May,

that was first drafted as a three-pager back in 2022. Because if we're doing offsets, then they have, the Commonwealth have a thing called an offset calculator which is you open a website, looks like this, and that's what this is and really to sort of talk to an offset calculator you need to have it on the screen, I've actually got it, I didn't know if you had it...

01:09:01 s36

Can we keep going on this first, before we start getting into the guts of the offset calculator.

01:09:03 s36

Yeah, no, I just wanted just to say so, this document was really just to explain how I would, how I would offset calculate to see what offset would be required. And then that, the Commonwealth since asked lots of questions around that and required more information about our assumptions and how we're scoring an area value, and that's what this multiple iterations are just tweaking that appraisal, it's not a management plan, it's just, it's to inform the Commonwealth, simply to inform the Commonwealth how it's being assessed and for them to be satisfied that this offset would work. At that point, s36 work comes in where you actually have a management plan, offset management plan that covers all of that...

01:09:51 s36

And a strategy which includes the way it was calculated and why we've chosen that area because of the calculation.

01:09:59 s36

So this is the strategy is it?

01:10:02 s36

Well, this is just...

01:10:02 s36

That will feed into the strategy.

01:10:07 s36

Right. Just to comment on that, I mean given but you need my consent for this, why haven't I been involved in this part before? Can someone answer that question?

01:10:21 s36

To be honest, no.

01:10:24 s36

No, even you yourself said s36. You were astonished that I haven't been. And you know, being told last Thursday about this and you expecting me to agree, you know, imagine if this was your land, or imagine if I come to your house block and said, well, I'm going to do a management plan for your garden for the next 20 years and you have no say in it. How would you feel about that? How would you feel?

01:10:54 s36

I completely understand how you feel, I wouldn't appreciate it either. Again, this is potentially an example of people doing things that they've always done and how it's been done previously.

01:11:10 s36

Well, it's not working, is it?

01:11:13 s36

No, and I can appreciate that you want more input into it, so it is a case of how do we work together with the department so that they can still meet their guidelines and work through ways that they normally do, but then how do we input your input into it?

01:11:32 s36

So going forward, how would you like to be involved? Like, meetings?

01:11:38 s36

Well I own the land, right? So I have to give consent under the EPBC Act and that's your problem, in a way, you know, because if these orchids weren't here you would have built the road already, and it wouldn't have mattered, right? But going forward, I need to be involved in a timely manner. And again, it goes back to what we were talking about earlier. Your timelines got to accommodate, your critical path analysis has got to accommodate time for me to actually receive these in a timely manner, have time to read and respond. And if need to be, I need to consult with other people as well because yeah, you know, like for example, s36, he's not available every day of the week either, on Sunday night, when I'm expected to answer emails...

01:12:22 s36

So you just prefer to have these as soon as they're...

01:12:25 s36

Absolutely. And I've been asking for them for 2 1/2 years and have been refused. Deliberately refused.

01:12:32 s36

Yeah, but I guess we again need to, and we don't need to do it today, but at some point they'll need to be a line in the sand in the fact that we don't want to be going through different reiterations and versions of the report for like, I would be happy to advocate for you to have involvement and influence into the final report, but where does the decision making lie? Because at the end of the day, it's still a government...

01:12:59 s36

Yeah, but I have to give consent to the management plan.

01:13:02 s36

You do have to give consent to the management plan, but...

01:13:02 s36

01:13:03 s36

And by leaving me out of it, you know, I can't consent.

01:13:06 s36

They're not suggesting you left out of it, but the concern is, and this is, I don't think in this case it will be an issue. The concern is, look, there's a point at which the document just needs to be finalised and sent off and can't be sort of tweaked and mulled over for any extended period. And again, I don't think it's the problem here but that's what's being communicated, the understanding is there is a point at which it has to go and I think you understand that...

01:13:33 s36

Yeah, I've made enormous efforts to respond as quickly as possible, but I can't respond to things I'm not given.

01:13:38 s36

My question is, s36 would you know, provided that she has the information she needs to look at, it is likely to come back with a single response and if there's information she doesn't have in order to put that response, she'll ask for it before she gives the response. So I don't, I don't see a drip feeding here of, oh what about this bit, what about this bit, it's the, it'll come through and s36 will provide sort of like a fulsome feedback. And then I imagine things will be resolved shortly, in terms of being the final version.

01:14:09 s36

I guess it's just for me, having worked on different projects where you've had councils and key stakeholders and everyone be involved, and you, you've got a document that has been drafted and is has been checked over by people with scientific specialties and it's evidence based, but people will still try and find ways to stop that report from being finalised and actually put in. So I think as long as we can, as I said, draw a line in the sand and know that everything that's being produced has already gone through a pretty vigorous process internally, it's coming to you for information and for your influence and for acceptance, but we're not necessarily going to let you write the report.

01:14:57 s36

Oh I don't want to write the report. But what we're talking about with s36 stuff is, this is now version five, is it? You know, and it would help, and may still help me to understand how it's got to this if I'm given the previous stuff.

01:15:09 s36

Yes, and in future, yes.

01:15:11 s36

You're in the loop now.

01:15:13 s36

Well, good. Yeah, I know. But we just sort of, s36 was talking about the history of it, and it's just beyond my comprehension and why it was thought that, you know, it was unnecessary to communicate.

01:15:25 s36

Again, it comes back to what we discussed earlier, which is perhaps people involved in the initial stages didn't quite understand the beasts that they were grappling with, OK? But now everyone does.

01:15:36 s36

Anyway, maybe keep going and sorry we've interrupted.

01:15:42 s36

I mean, so the original assessment was based on the mitigation plan and then that I'd identified as often with roadsides and this is we're just first got involved, one of the things that was raised by, was identified early in the piece is that the forest had margin impacts from, you know, from weeds and road effects. That meant that the condition was poorer, you know, around on the road edge and the whole argument or concerns relating to widening the road into the Milford property, all those edge effects will be pushed closer to the property and need to be taken into account. So I nominated a 50 metre buffer in the areas of high habitat as areas that we intend to have a management regime that would mitigate for that. And potentially would actually improve because it would, it would deal with legacy issues that are resolved in the existing road...

01:16:37 s36

Why did you pick 50 metres?

01:16:40 s36

I just had to nominate something I thought was proportionate.

01:16:44 s36

Yeah. What about for example, I mean, the removal of trees and the increased wind and light effects, which are like probably between 10 and 20 times the height of the tree. I mean, that's an edge effect, did you take that into consideration?

01:17:01 s36

I mean, my experience with orchids is their resilience to survive in, you know, on tops of road cuttings and it's quite an isolated fragment. So they've got the right, the key components that they need and I didn't, I don't really think the loss of canopy is going to affect the orchids greatly, though I did make reference to that as a potential impact that I couldn't quantify. So anyway, whatever that's that. Yeah. So that, but that the question that you one of the questions asked is how the area came about being identified, it was it was and there was, I hadn't referred to the fire management plan which was in existence, but principally because the fire management plan talked about a management regime of burning and that's one you chose not to adopt and you've...

01:18:02 s36

Well, I didn't choose not to adopt it. It was in practice up until 2015 and due to a host of other factors which I've already documented that we had to give up burning, TFS changed their policies. They used to provide firefighters for nothing and do it as part of the training. There's a whole lot more stringent requirements from the Hobart Airport and there's a list of about 20. They are in our orchid, every year Geoff and I write up the orchid survey and management plan and the previous management for the last five years has been in those last five years of documents and we're in the middle of doing it, usually comes out about July. So we're trying to get that this year's one out in the last year's out as quickly as we can, it should be a couple of weeks, but every time I have to do stuff like this, we have to stop writing your management plan. So we are getting on with that, but that explains in detail this year the change from fire, but it was...

01:19:01 s36

It was impossible to do.

01:19:02 s36

It's, you have a window because of global warming and wind drift, and you've got to have 40 firefighters, it's got to be on a Saturday.

01:19:03 s36

I'm not questioning it. I'm just saying...

01:19:12 s36

There's two, and the window of opportunity is now probably the last weekend of June, the first week of July. And if it's raining that day and it's specified in there, all of the soil conditions, it's almost impossible. And Hobart Airports a big, if they get smoke drifts, well then they've got problems with their planes. So and that was made by reference to other experts, it wasn't just me, you know, actually deciding one day we're not going to burn anymore. So we consulted botanic experts and that's been the case and it is in the last survey plan. So all the management of the units has been recorded.

01:19:46 s36

OK, so the management plan has units, the fire management plan which you've taken those management units.

01:19:55 s36

What we call management units, yes.

01:19:59 s36

In recognition of those units and the way that you deal with the land was then through the processes of dealing with the Commonwealth's satisfaction of getting an offset that would meet their guidelines, we were asked to consider the fire plan, fire management plan and the management plan that was already on the property. And so that's where we changed the layout. I picked this area of four, is it four? Which is bounded by that sort of management track on this side, and you know there's been expanded on the other. To me this makes a good sense, I talk about in here is because, this is the area where the edge effects are greatest from the existing road and potentially from effects of this new road and that of

course, are run off and weed encroachments from people dumping and some of the disturbance. You know, when you've got something close to side disturbance, you're going to get more of this. So, this seemed a very sensible area to select, so that's the only reason that, so then with that area, and this would have been a very good time to have come and talked to you and said what do you think about this? Yeah.

01:21:08 s36

Yeah, it would have been, because you know what my answer would have been?

01:21:14 s36

That we drive through there?

01:21:14 s36

No, no, no, no. You have to achieve additionality and I think personally the best place to achieve additionality is unit seven and eight actually because they, for historic reasons, they were burned just before and I got married, and they haven't been managed but there have been orchid records in there before, so in terms of achieving an actual outcome for the orchids, which is what we're supposed to be doing, I would have strongly suggested looking at seven and eight. There is also another block that somebody from parks in Canberra suggested down the other end of the farm that that might have been too out of left field, but it's not out of the equation altogether.

01:21:56 s36

I think, I think this is a bit of a killing two birds with one stone is because the key part of the mitigation was monitoring for edge effects from the project.

01:22:04 s36

Well, that could have been done anyway, even if it wasn't an offset.

01:22:07 s36

And that, well, because this is kind of, my approach, this was it was a mitigation plan that then evolved and to formalise that mitigation to an offset, so there's a kind of, there's a logic to this one. Even if, as you...

01:22:20 s36

Well, it's not necessarily logic I agree with.

01:22:22 s36

No. Well, that's you have every right to. And it may well be that there are better areas you'd like to nominate and then we can explore those and see how they score. We can do an appraisal of those because this is going to require your consent and so I'm astounded that you haven't already been aware that area four was going to be nominated and that you were supportive of it. The only other thing I did say...

01:22:48 s36

I've never supported unit four. You know it's one of the best managed places of orchid habitat in Australia. And I can't see it's been assessed, I've had CSIRO assess it under there, the biodiversity assessment scores 90% and it can only achieve a 1% improvement with active management up until 2045, which is statistically insignificant. So, you know, it also beggars belief to me that this has been put forward.

01:23:20 s36

OK, so I haven't seen that work. I take quite a different view in that I've, the time that I've looked, I've seen this site over the last 30 years, I see significant increase in herbaceous weeds which I believe in the long term are hardest thing to control and that they will ultimately impact diversity on the orchid for this area.

01:23:43 s36

Well, they may do, but weeds can be managed. That's a different question to the offset.

01:23:49 s36

But that's what the offset is. The fact that the agency would be required to fund that work at their expense. That would improve the condition of this and mitigate for that threatening process...

01:24:02 s36

Well, yeah, I can't...

01:24:03 s36

Because I find that would be a very challenging one for you to be able to resource and do in terms of, you know, on the property without...

01:24:10 s36

Well, I'm going to do something that I wasn't, I was told not to do here, but I'm going to complain about your assumptions about my financial ability to manage this and it is a totally unwarranted assumption.

01:24:21 s36

OK.

01:24:27 s36

I doubt your terms of reference included investigating my financial situation. The s36 family have been managing this property without government assistance for 193 years and I find it insulting, degrading and potentially defamatory, quite frankly, and I object very strongly into this. Now, I was told on the phone...

01:24:48 s36

You know what? I'm just a bit confused. What? I'm just a little confused. I don't understand.

01:24:52 s36

There's a statement made in s36 report that I'm financially incapable of managing...

01:24:59 s36

Setting up the implication that I'm making...

01:25:04 s36

What's the statement? Where's the statement?

01:25:08 s36

I just want to make sure that, I haven't seen it s36 ...

01:25:12 s36

Right, well OK, well, I was very, very upset when I read it...

01:25:14 s36

Is it? You've got it there?

01:25:20 s36

Well, I'm just looking to see what s36 referring to.

01:25:20 s36

And this has gone off to the Commonwealth, this is a public document. And you're writing this about a family that's been managing this property for 193 years.

01:25:29 s36

Yeah. I just want to make sure that it is, it is sufficiently serious to...

01:25:32 s36

All right. OK, we'll find it.

01:25:38 s36

Well, there's certainly the intent of it is not to insult or make any judgement on your financial resources.

01:25:44 s36

It's likely, s36, that it's not intended in that way, and possibly not in that way, but let's have it, let me get a pair of eyes on it and I'll have a look.

01:25:48 s36

I disagree with that. Can you find it s36 You wrote it.

01:26:01 s36

I'm just going to...

01:26:15 s36

So the section about weeds. Now I don't disagree that weeds are an issue but there are other ways of managing weeds. We've been, I run the local Landcare group, and we have landcare people coming out here and we do, we just great things. So you know I think conflating the offset with weeds is not necessarily a particularly good thing. I mean, they're related to each other, but they're not the same.

01:26:45 s36

But I guess the concern, the current concerns we're looking at is that the report implicates or indicates that yourself or the s36 family would not be able to financially manage the weeds in that area, which is...

01:26:59 s36

Which is absolute, absolute. Well, let's find it.

01:27:01 s36

I want to know, I'm interested to say whether it says a will or will not or whether it says something along the lines of, it would be a not insignificant financial impost.

01:27:11 s36

Correct. Yes. So I think, I think that's what, that's what I'm hoping that it says and it indicates that there's, that it's a...

01:27:18 s36

Like, at the moment we can't even find it...

01:27:22 s36

I can search for the word 'weed', keyword search 'weed'...

01:27:26 s36

Possibly, try false, cost, expense...

01:27:36 s36

Yes, I mean it, it may have been indicated that it would be at a considerable expense, but I don't know if that was...

01:27:40 s36

If I'm understanding it right, s36, is...

01:27:43 s36

Just hang on. "The landowner has been successful in controlling woody weeds, but is unlikely to have the resources to control the further spread of herbaceous weeds such as freesias and panic veldt grass." That's it.

01:28:02 s36

Is that the statement? That's it.

01:28:03 s36

Human resources, is the...

01:28:07 s36

I take strong objection to that, OK?

01:28:10 s36

But that doesn't indicate to me that he's, that s36 suggesting that it's that you don't have the financial resources, it could be the manpower...

01:28:16 s36

Well, resources usually means, or you employ people, or you get volunteers to help, which I have done.

01:28:22 s36

It seems like an unintentional affront. I could put it...

01:28:27 s36

It certainly is unintentional, s36, I mean, there's no way..

01:28:32 s36

Put it this way, if s36 intention was to somehow say that you couldn't manage your property, I don't know why he would say that, but if that was his intention, I think he would have said it more that I think, that sounds to me unintentional, and put forward not as any slight on you or your family or your finances, but put forward in support of the idea that, if I'm understanding this correctly, as an alternative to additionality, it's about enhancing management of a particular area. Is that, is that, am I understanding it right? I'm not, I just, I don't think...

01:29:10 s36

What's the heading?

01:29:11 s36

"Future quality score without offset".

01:29:14 s36

What page is it?

01:29:17 s36

Ah, ten.

01:29:18 s36

So the, I mean, all of this would have never happened if we'd had a conversation, I mean, I'd assumed that area four was all, you know, you supported it so...

01:29:31 s36

No one saying that you shouldn't feel the way you feel about that paragraph. But I don't think it was intended in the way in which it's been received, which is no one's fault. It's just...

01:29:42 s36

Well, other people have read this, and a few people have been absolutely horrified. So, it's not just me.

01:29:48 s36

I mustn't understand the significance of that then.

01:29:52 s36

I can understand the significance of it, because, particularly if it's been, if it's been, if it's made s36 feel the way that she feels, because, and this is a problem with written text, everyone's got a different way of determining, yes.

01:30:05 s36

To me, it's open ended, like, s36 might have in his mind this thing would cost a million bucks a year for the life of the property or whatever and like, you know, that's a lot of money for anybody, that might have been what he had in his mind, I don't know. I don't see that as an outright statement that says s36 family are impecunious" and it's not that we're...

01:30:27 s36

I can see how it could be...

01:30:32 s36

As someone who's been involved with this, taken in context with when s36 was asked to give in-principal consent to unit four, it was almost with a gun to her head. It was a Friday night, in an email, it was very rude. And she said her reply to it was yes, I will give my consent prior to that.

01:30:51 s36

No, there's no consent.

01:30:52 s36

No, my consent to being put forward...

01:30:55 s36

Yeah, consent to it being put forward...

01:30:58 s36

Agreement in principle to the department investigating it, subject to accommodating issues that the use of that unit may cause for the operations of Milford in general. And so doing, you know, doing the things that are necessary to make sure the use of unit four doesn't disrupt and interfere with the use of the rest.

01:31:16 s36

And being able to get into my property and the whole package of work...

01:31:16 s36

So we're coming from if we want to, I think we park it because there's nothing that can be done about that unless, unless what you, what you want is an amendment or, to that document, or recognition going forward, or if that's not the case...

01:31:44 s36

This document has no merit or value whatsoever if it doesn't have the landowner consent, it's never going to get landowner consent, we might as well stop looking here or go back to another area.

01:31:50 s36

So s36, how about? How about to resolve this, any future management plan, assessment, whatever that goes, goes to justifying the approach that the department and s36 prefers avoids or just simply does not suggest that you don't have the capacity, financial or otherwise, to manage the relevant weeds long term. That seems to be the issue.

01:32:20 s36

Well, that's just the sub-issue at the moment, but...

01:32:24 s36

Yeah. In terms of that statement, that statement. Does s36 ability to financially manage, manage like the weeds in that area, is that relevant to, is that relevant to the overall issue, or is that just... is it important?

01:32:42 s36

Well, I guess.

01:32:43 s36

Well, we'll get onto the offset calculator, because it feeds into there...

01:32:47 s36

Your ability to, right, OK.

01:32:53 s36

So it's been used to justify the fact, it appears to me that it's been used to justify the fact that it's scoring badly now because I can't manage it.

01:33:01 s36

Solution is simple, it's a mistake. It's not one that was done intentionally. It wasn't intended to have been...

01:33:07 s36

Well, I mean, no, I had misunderstood clearly s36, but in meeting, being on site, looking at the orchids with you and other people. We've had conversations around the difficulty with dealing with plants like the freesias and how to manage those, they are going to be a challenge. So I took that as this would be a real opportunity to resource that, you know, to have that done on the departments expense.

01:33:34 s36

That can be done by Landcare.

01:33:36 s36

It could be but, but I think to do that well is, I felt that this was a, by formalising it with the Commonwealth through a offset that the department would pay for and report on that, that would be a very useful way of getting, achieving it, because it is something...

01:33:54 s36

Potentially yes. I agree.

01:33:57 s36

I was hoping that, and I'd assumed that was something you'd welcome it. And that's all of this comes down to the fact that we haven't had a chance to sit down together and talk about what would you like to offer as an offset. I think, an offset looks like an offset, needs to be formalised, what do you think? And that's this is the process where we've just been kept that, so, the way that, you know, just...

01:34:15 s36

Well, you and I both by the sounds of it.

01:34:17 s36

So look, I think the main way to address this is to the extent that s36 ability to manage the weeds in that area is a relevant variable to whatever assessments occurring, that it accurately reflects what s36 is saying, which is, well, she can. She can to the extent that changes in your calculations or whatever it gets adjusted as well.

01:34:38 s36

Now we want to move forward. I'm conscious of time, are we, I think, I've worked with s36 enough to know that he would never make a statement that would be in any sort of derogatory term, and I apologise that you've taken it that way. I don't know whether it's worthwhile amending the report to rephrase that, to confirm that, it would just, it would undertake a lot of management, not necessarily that you don't have the resources, be it financial or otherwise, to manage it, but that that would be a large undertaking to manage that.

01:34:56 s36

That's fine.

01:35:16 s36

And moving forward, and we've already committed to this as well, is having possible oversight of reports such as this, so that those statements that may, you may find are incorrect or potentially could be read in a way that is derogatory on you are not included.

01:35:36 s36

It comes out of consultation, like if there is some if as part of this assessment, there are assumptions to be made about Milford, about s36, about her finances, about how she operates Milford, these types of things, it's as simple and possibly as complicated as just asking her, like taking instructions from her in the way a solicitor would take instructions before putting together an advice.

01:35:57 s36

Yes, and we recognise that...

01:36:00 s36

That needs to apply to all assumptions made in here, not just ones about me personally or in China.

01:36:05 s36

Yeah. You went to Milford.

01:36:09 s36

Yeah, but there are other assumptions in this, and I think all assumptions need to be made explicit, not just ones about my personal finances.

01:36:18 s36

That's what I'm saying, about you and Milford, so you personally...

01:36:21 s36

No, the scientific assumptions are in there. They only need to be made explicit.

01:36:25 s36

Yep, and how you manage it and where things are and what you do, to the extent that, it is really like a solicitor taking instructions before hearing advice. That's what it is.

01:36:32 s36

But I mean, as we've already ascertained today, part of the reason why I'm sitting at this table is that the department and pitt&sherry have recognised that consultation has not been done well up until this point and we are looking to rectify that and work together moving forward.

01:36:46 s36

Yeah, I mean I've done lots of management plans in the past. And the first thing you do apart from defining what you're actually managing is to consult and the key stakeholder is the person doing the existing management. Nobody's ever asked me how I manage it.

01:37:02 s36

Well, no management plans been, work's been done on the management plan as such.

01:37:06 s36

Well, we have a current management plan.

No, no, I mean but if you're asking about this process, there's no...

01:37:11 s36

But this document forms part of the management plan. That's what it says on the front page, in the third paragraph.

01:37:19 s36

Yes, it's a discussion around the sicker element of it? Sure.

01:37:24 s36

So this forms part of the management plan?

01:37:26 s36

Should say 'will form part of the strategy'...

01:37:30 s36

That says "will be incorporated along with the data into your orchid offset management plan". So that's fairly clear to me. If you're working on the precursor to a management plan, for goodness sake, go and talk to the person doing, I've been managing it for 20 years and nobody's ever bothered to come and ask me how is it managed? I got an email from [redacted] and one of the 33 questions saying, what is your current management plan? But am I expected to sit down and write it all out for him? And then have it whatever, go into the list of documents, you know, it's just appalling. Anyway, perhaps we can move on from that point because we better get on to the offset calculator.

01:38:13 s36

But hold on, s36 ... if we've got the wrong site, then you're not going to support it.

01:38:18 s36

Well, I need to be demonstrated that it, that it actually meets the criteria and it hasn't been demonstrated to me that it does. Because I'm being bombarded with all these documents in the last week and haven't had time to even read them.

01:38:32 s36

So, question, and this might be one for you [redacted]. Is there scope in this to assess other sites?

01:38:39

I don't know. We really need to look at, we'll need to look at the time frame, how it ties in with all the other things and whatnot.

01:38:45 s36

If I say no, we're all going to have to change the time frame. I think you know and s36 will back me up on this, but everybody and all stakeholders want to see the best outcome for these orchids. These orchids have been here for what, a million years, right? Or whatever it is. Since they evolved and they've been living up there peacefully, managed by the s36 family and prior to that, our Aboriginal custodians and they're not there by accident. They're there because they've evolved to be there and they're in a symbiotic relationship with the treason, possibly even the native cherries, you know. And that's got to be, you know, you're not going to get 100% of orchids because they're in a natural ecosystem. It's biodiverse, they're not going to grow anymore or it's really you might get one or two, you know, but to get actual additionality, which is what an offsets supposed to do, you know, look at the areas that haven't been as well managed. I mean, that's one of the best managed sites. So are you going to get a marginal improvement in that? Maybe, maybe not. Yet to be scientifically proven. But that's what I've done, s36 and I have been talking about this for a while, I mean, you know, units seven and eight, they've got like, they're being recorded there in the past, but prior to the surveys taking place, and that's nobody's fault. And then there was a, what happened was, it's quite a funny story really, but an illegal ferreter that came in went ferreting up there. And this is, I'm talking in the 90s. This ferrett wouldn't come out the hole and so he smoked it out and then went away and left it with the fire burning. That burned the area and unfortunately was in spring and it burned orchids. So then, you know, my husband had, he did actually limited resources. He can speak to that. And you can't manage everything, and there was no onus on him to manage it either. He, you know, and really, the departments, the government's interest only started in about 2007. s36 can tell us more, when what was then the people, we what was then DPIPWE, the threatened species unit? Yeah. And they've only focused on Unit one. They didn't actually care about anything else, right?

01:41:02 s36

Yeah. Then you got a long-term survey on how often they flowered and the size of them. It was really boring coming on those few days because we spent time measuring the height of the flowers and trying to find them, and they're all they're all pinned where they were. Yeah, there was no, and just surveys outside of that was people like myself, didn't want to spend time on their hands and knees with the tape measure got sent out to just have a look around.

01:41:30 s36

And low and behold that they realised that they're actually more widespread. And I'm a botanist, and when s36 and I got married in 1999, we actually went round and started, that's when we really started looking at what other areas and the Pony Club were using it. He had a pony club here, and that's where we actually found out that they from there that they like about 50% tree cover, so that's actually the trees are actually really quite important. It's the light and everything like that. I won't get too much into details, but that area up there basically got neglected because it got burnt, you know, but I've started slashing it last week and I'm going to get some people in to do some more work up there in the

next month to see what happens because it's the same soil type. And so, well, it's to my mind that it's also critical habitat. And you know, if I were asked to look at this scientifically and objectively, I'd be looking at the other areas as well, because there's critical habitat there. There's critical habitat on the other side of the driveway. And just because a formal survey hasn't been done and doesn't mean that they're not there, it just means nobody's seen them. You know, there's 140 hectares up there. And then as I said, there's the patch down the other end, and nobody's, well, this guy from Canberra and I went and had a look, but that's another area as well. Because the thing about offsets is, I mean it's, the department, the federal department said it's going to be here but it's to try and minimise future risk, so putting all your eggs in the basket that they're already in isn't necessarily going to mitigate risk.

01:43:06 s36

What, you'd like us to look at the other units as a potential offset?

01:43:15 s36

If I'm perceiving this correctly, there seems to be a fundamental difference between how s36 and s36 view the need to design the offset. s36 is coming at it from the angle of additionality and is concerned that unit four is either not big enough or not quite enough, because that there might be more land required to involve that site at unit four to demonstrate additionality. And I mean, and I'm not saying incorrectly, just tell me this is not my field, you're taking with the position that unit four ought to be enough, because in terms of maybe rather than or in the form of additionality, the area can be improved from its current state to facilitate a better or increased orchid population in the future, so it seems to be, I don't. I think getting this tension right, this is what I'm I think I'm hearing. It's more land is probably going to be needed versus all the land we've got in Unit four can be improved.

01:44:24 s36

I'm not wedded to this one, this is just the area where I identified where the needs fare level of mitigation for the work to just to associate with the work. And so it seemed an error, it became an offset because that's what the Commonwealth required of us so it's sort of, it's derived from where we've already identified the greatest threatening process associated with the project. And I, in my interpretation, what's going on there is I could see in my, right along there, I believe that there was the risk that the area condition might become worse if those species continue to invade because I've seen them, in the time I've been in Tasmania, one of these grasses only existed in two, one suburb in Tasmania. Now you will not find a garden, anyone's garden in Tasmania that hasn't got, hasn't got panic veltgrass in their garden. And so this is an overlooked insidious threat to so many species, you've got Lord Howe Island, there are areas understory there where it's 80% covered. So to me this is this is such a bad species and I certainly didn't mean any kind of insult to s36, but I've just seen so many nature reserves in Tasmania suffer in fact, no, even with the best management, they're not on top of it, so here's a chance where the authority can actually fund the management, and I may be overstepping that, you may think you got in hand and that you actually would have controlled it and that's fine, but I've assumed that you won't. So, I'm, you know, I'm wrong, clearly.

01:45:52 s36

Well, we sprayed for it, we use well, that's a very big assumption because we keep control of it in the vineyard and do it every year. You know, and there are ways of controlling it, that's we, we're only

talking about one weed species here and it is a grass and there are selective herbicides for grass that may or may not have approval. We don't know yet, but the biggest threat to this orchid is, I have to say, the government. This is the third government project that's being proposed for that area of land. The third. The first was the football stadium, the second was the storage works. Then there's the ones that s36, you looked at yourself in 2000 and 2001, which was widening of the roads.

01:46:38 s36

Where were they putting the football stadium?

01:46:40 s36

Here in the middle of the orchids, as it's flat. Not the stadium now, we're going back to the 80s, this was just for soccer. And then there was the sewage treatment plant.

01:46:52 s36

Yeah, I've heard of the sewage plant.

01:46:53 s36

Right. The only threat to this plan is government, and that's where I have strong concerns about a covenant, we might actually have to look at a federal covenant. Because state covenants can be overwritten and have been overwritten, not just by federal projects, Elise Archer signs them away all the time. You know, someone covenants a bit of bush up there on the East Coast and someone wants to put their house somewhere else and she just, there's been plenty of covenants cancelled. So, you know, I'm not averse to an offset and I'm not in principle averse to a covenant, but I want to see these, this is my responsibility. I want to see these orchids managed for conservation for the next 200 plus years and it's our opportunity to do it right, not a half...

01:47:43 s36

Well, what is it you'd like to see the department do?

01:47:48 s36

Moving forward, I need to understand s36 logic and you know maybe we've run out of time, maybe we have to have another meeting, the logic that went into this offset calculator, how it's demonstrated that this is adequate when it's already one of the better, and I acknowledge the weed threat around the edges and now we've got a weed threat internally caused by DSG you know so. Is it big enough, is my first question. And the management of it and the whole thing is integral to the management because weeds is just one factor. And if anyone had talked about the management, the main factor is it's not bracken, it's wattles, actually, and keeping down and I've got a management regime that used to be done by fire. But the thing about fire is and why it's slashing so much better is it actually stops the wattle regrowth after a certain period of time. And we've been monitoring this since 2009 and we've done trend analysis of this and the trends of all these are upwards. I mean you don't get much better than it is at the moment. We've, you know, and you accept that I think, wouldn't you? So how are you actually going to improve on what's going to be done well, and that's what the Federal act requires.

Additionality, right? So how are you going to make this? You know, like we all want this to, to progress, in one way or another, but you've got to get this through the feds and it's not going to be achieved in my

mind if the act requires additionality is demonstrated and it doesn't to me demonstrate additionality at the moment.

01:49:29

So what I'm hearing is you're not saying no to this unit for the offset but how about, I suggest that you have some time to go through all these documents and then we have another meeting and get s36 in to explain to you the logic behind it.

01:49:48 s36

Well, that would be a good start, you know, I mean, you want to do your assessment tomorrow, which which partly informs you...

01:49:54 s36

Well, in a way I'm frustrated by this whole process because, you know, the assessment, I don't want to do the assessment. My original thinking was that the assessments were about, once you establish what your offset was, you monitored that at the right time of the year and use that to see whether how it's trending and whether your management is succeeding in increasing the condition score. The only reason we're looking this time of year is to the wrong time of the year when everything you know is died down is because the Commonwealth want this, they want some, but I've made some assumptions on the score because that's how you normally do because you don't have that information normally at the referral, so usually the previous referral process as they've gone well, that's reasonable. You'll have to go out and demonstrate that as part of the condition of, you know the approval, that, that meets that.

01:50:51 s36

Right.

01:50:52 s36

I mean, there's all sorts of limitations this this monster of a black box that scores things, you can only put in whole numbers. So you can put whole numbers of nought to 10, which is ridiculous. You don't pick up any, so you can go from six point one to six point eight, six point nine in improvement on a score which is 8% and it will not pick that up because you're not allowed to put in this list. I don't like this. I don't defend it. I really, it annoys the hell out of me, but that's, this is what bureaucrats in Canberra require. And so I had to speak their language. I haven't gone far, I've said, we've got areas that we score a condition of, I think I used seven that would go to eight with management, could go to six without it, but then I've since played around with that I was going to hopefully have time to explore ways of nuancing that but before we even get to that, if the key, the key recognition and acceptance has to be that there is, what the offset has to change something that would otherwise over 20 years, over 20 years that if you didn't have that offset, that land would go worse and you offset, your offsets achieving almost additionality, it's actually just, it could just be stopping a threatening process that would normally make it worse, or it could be imposing a regime and improve these things, and s36 suggesting, you know, with her extensive knowledge here, there are other areas that probably could improve things. So if we decouple the mitigation plan from the offset then we may quickly come to something that you're going to get, we're going to get landowner consent and I'm, I think we need to know that means there's no point in us going out tomorrow. We need to actually explore that with s36 and there's things that

s36 is getting much more excited about. That's what you want. You want the landowner to be excited about it because they've got to back it, and if they got because I don't want to be trying to sell something, you're really against, because they're still is going to have to be work in Unit 4 because that's the mitigation part of it.

01:52:48 s36

But there is an option for assistance with mitigation and an offset, say in seven and eight for the one of the better number...

01:53:00 s36

Well mitigation is just a word for management. So it mitigates the impacts of an action. The action is the offset is saying that what the Commonwealths decided, we see your mitigation is going to help but we don't believe that's sufficient. We want an offset. And so that's the challenge that is I've been trying to grapple with, if I make the mitigation area bigger and the one threat that I'm most concerned about, and many of these reserves, are these herbaceous weeds, that would solve it, but if you're talking about seven and eight, that's the area between...

01:53:34 s36

That's up next to the driveway.

01:53:37 s36

So it's this area here.

01:53:38 s36

Between the power lines and the road.

01:53:40 s36

Yeah, the power lines, that's unit 6 in there, remember? With the power lines.

01:53:46 s36

Yeah, six is at the bottom.

01:53:47 s36

And six has a different soil type. Unit seven and eight really have, you know, if you actually want to do straight, genuine additionality. The other thing I was deeply concerned to learn about last Thursday when I read this is that you're proposing works outside unit four as part of this plan and that was the first I heard of it. Last Thursday. On my land with no consent and no consultation. I don't care what they're for, but to put forward works outside, you know, with all the discussion up until now has been about unit four...

01:54:23 s36

That was something thrown on me too, that happened where I was away.

01:54:28 s36

Well, who threw it then?

01:54:31 s36

I think what's important is s36 is now saying to a degree, a lot of the work, a lot of the considerations done to date don't really matter because there hasn't been sufficient input from you and consultation with you and importantly, buy-in from you. So to a degree, some of this may still be useful. A lot of it's probably not, but what's important is without like, get the middleman out of the way so that you and s36 aren't being kept at arm's length from each other in terms of the fundamentals that need to be known and understood. Build upon those to put together a plan that works for the department and has buy in and excitement if that's, you know, ideally from yourself, I think we reached the point where it's not quite swipe the table off and start again, but it's not too far away in terms of ensuring that there's something that will work for both parties. And also, I wasn't aware, it's not my area, I'd always thought of additionality, it doesn't necessarily mean additional land. It just means you have to demonstrate improvement or benefit over a certain time frame. I think the next step with all this, actually is a meeting at least with the two of you, to start that process again, almost.

01:55:55 s36

And s36

01:55:55 s36

And to be honest, probably s36 as well.

01:55:58 s36

And some other experts that I might want to bring in.

01:55:59 s36

I don't think I need to be involved in that. What I do is get information and make sure that we stop punching each other. So yeah, there's perceived animosity on your part, and I get it because I know you've had people just come and see you and basically point in your face and say you'll get what you given, shut up and go away.

01:56:27 s36

Yeah, that's exactly right. And most other people would have spat the dummy by now, right? And said you're not coming on my land.

01:56:35 s36

Or capitulated, right? They're the two outcomes pretty much.

01:56:39 s36

Well that's the general aim, to get the person to capitulate. Yeah, well, I have to say again, before we go on, if I'd been a man, a lot of this would not have happened. There's been an awful lot of sexism involved in this as well, yeah. Sorry, I think that should go on record as well. Thank you very much.

01:57:01 s36

Would it be possible, as a better outcome... Personally I look I can go, yes, we've got the weeds in that mitigation area that you've marked, I totally agree with that. The rest of unit four is quite well managed presently. As someone who's looked at it since, on and off since 2000.

01:57:21 s36

This was this was driven on a buffer of where I'm most concerned. Four was suggested to me as using one of the managing units so it just became sort of my personal thought.

01:57:32 s36

Who suggested it to you?

01:57:32 s36

Well, it's just that it reflected the management plan that existed, you were using management, why I'm not talking to that?

01:57:39 s36

Currently my thinking would be, they are, this process could be better spent on either seven or eight or nine or 10 or this other area. Again, nothing. I've never looked, didn't really know it existed. And we possibly make s36 a lot happier. We're quite happy with how we're managing unit four other than the the rope, the stuff that's coming off the road.

01:58:10 s36

Can I ask a silly question? Is there a reason why we can't have both?

01:58:16 s36

No, not at all. And it may well be...

01:58:19 s36

Be up to the department?

01:58:21 s36

Assistance with the weeds coming off the road, we did some work with the freesias last year, on managing those outside the main orchid area, quite successful, I think, just judging by the flowering. Snf TPTs, we're going to put in a field trip to pull the blue, what is it? The Blue Bell creeper, because that's really easy to get rid of. Just walk on and pull it out. So we're managing that quite well. It's the grass that's the issue, the belt grass. So you know, is there an option that there's some assistance with the mitigation of the herbaceous weeds and a different area as an offset.

01:59:19 s36

They often are different areas.

01:59:20 s36

Well, that's what I was saying earlier that, that's what I was saying earlier, you seemed to have conflated both, and it's not necessarily the right outcome for the orchids.

01:59:30 s36

Yeah, I don't understand the EPBC Act particularly well, I've been reading, and it's all just become a blur.

01:59:39 s36

Commonwealth legislation in general is... they just write it a lot differently to state legislation and then they put guidelines with it. You're not sure whether that's part of it, and the guidelines can be different from...

01:59:54 s36

There's some very conflicting information.

01:59:56 s36

What this comes down right now is we're actually talking about an offset identification strategy. And I've asked for this, how many times I've lost count. Why aren't you doing an offset identification strategy? I have sent examples to the department. They've been ignored.

02:00:20 s36

I think the answer probably is that the process has been managed up to now in a quite different way to how it's now going to be managed.

02:00:24 s36

Yeah, but, but yes, I know, but we're now talking about a strategy....

02:00:30 s36

So is that the next step, is it, at a minimum, and you guys are welcome, but at a minimum, the two of you meeting to develop a strategy to identify an offset, looking more or less, putting it all on the table so to speak, with respect to what units may or may not be involved. But it seems like there needs to be at least Unit four involved for mitigation reasons directly associated with the works.

02:01:04 s36

The mitigation can be separate. It actually can't be part of the offset. You can't have the mitigation area in the offset.

02:01:12 s36

Right, OK. Well, applying that principle...

02:01:16 s36

The offset is just part of the approval process from the Commonwealth. They can require all kinds of conditions about how you go about doing things. The mitigation just would be some of that would that would be some, yeah, beef around how you would go about doing things that...

02:01:27 s36

About building it and then I think.

02:01:28 s36

The offset is a separate part of that.

02:01:32 s36

And we were going to put them together so that it was easier from a management perspective to control an area, right?

02:01:39 s36

And because s36 in the dark about the methodology, she's not sure what's going on. And she's like, well, hang on. Where's the additionality?

02:01:45 s36

So we can go back to the original mitigation and just talk about an offset. What are you looking for in a strategy, s36, if you've got some, you've got some areas that you're keen...

02:01:51 s36

Well, I've seen some examples. Well to me, you know, if I were doing this, I'd be coming to the landowner and saying, you know, let's have a look around. Let's work out where the potential areas for the offset are. And for mitigation if that's a separate thing, and, you know, working it out because someone the alternative to doing this now is you put this forward to the feds and what are they going to do? You know, it's, I don't think they'll necessarily agree with things as they are at the moment and that's going to be highly embarrassing for the government, I would imagine. So it's better to sort it out before it gets to that stage, I would have thought.

02:02:31 s36

So action from this then is we, and it's not not necessarily that we scrap this and wipe it off, but it is probably a bit of two steps forward, one step back, we do need to reconsider and...

02:02:46 s36

Well, I've got two days ahead of me that I'm free to explore an offset.

02:02:55 s36

Well, I mean, but that's, and I mean s36 would speak the same as we as consultants are always looking to, you know, move things forward and things like that. You're planning on being out on site tomorrow. Do we use that time to come down and have these conversations that we're not going to have, because unfortunately I have to head off in, you know, that we're not going to be able to have today, to move that forward so that we're not just losing two days and we actually start to move things forward or is that a case of we need to talk to and say we've had a change of strategy, like I guess for me coming in as the coordinator of all this, what can we do so that s36 doesn't lose two days but that we

still keep moving forward to coming up with a plan that supports what the department needs, but that you're on board with. Yeah. Yeah.

02:03:54 s36

Well, given that we've all allocated two days now to, you know, go in the field. Well, perhaps we use that opportunity.

02:04:03 s36

Sounds like needs to put it through an internal approval process at State Growth because it is a change to the strategy. It is a change to what we had planned to do, so I'm going to suggest we probably need at least today and tomorrow for that. But we may be able to convene the meeting towards Wednesday or Thursday...

02:04:24 s36

I'm not here Thursday.

02:04:29 s36

Yeah, it's a shame that Tuesday can't be used because it's not yet, we've all got things booked for us. This is the window where it's allocated to this project.

02:04:37 s36

That we've all allocated this time.

02:04:39 s36

Is there is there any harm in?

02:04:42 s36

And I can't see what the department can do, they have no choice.

02:04:46 s36

Could it be done today, pr alternatively, could it proceed anyway without having to go up the ladder.

02:04:53 s36

I think given that, and please tell me to stop talking if you'd like Suk Maan, but given that...

02:05:00

Yeah. What are we trying to do tomorrow?

02:05:05 s36

s36 was going to go and do...

02:05:06 s36

This area is the offset and one of the things that tomorrow and the next day I was going to collect data of that and score the impact here using their method so that they could put into their bodies and understand whether the offset data worked. What has been suggested is the offset is identified as another area out here. So what that would mean is, once that's defined, is identifying what the, you know, redesigning a monitoring plan around what those values are now and how they could be improved.

02:05:49 s36

Assuming the area is big enough.

02:05:55

So is that basically what you were going to do on Unit four, but you do it somewhere?

02:05:59 s36

Well, the challenge is the Commonwealth seem to be a little bit obsessed with, I took it in the original because it was a monitoring plan for works, they want they are overweighting the importance of orchids being present or not and to me, that's not really the point, because what we're almost managing an area of threatening processes so that's it. It was frustrating that they added all the scoring, weighting bias towards orchids because obviously they would see this as scoring higher because it's got orchids in it. But so what, I would still push back on that.

02:06:34 s36

Can I interrupt, when they actually came here and we drove around? Remember we went round the perimeter and several cars and they said we won't accept a greenfield site and we were discussing the block next to the vineyard, which is a paddock. They actually looked at seven and eight and said because it's got existing tree canopy, there have been, you know, there will have to be some soil tests done in there to determine whether it's suitable but they actually said on their visit that that looked like a good site for them and we talked about the area and they said, look, it's a complicated calculation, but they said they would expect somewhere between seven and eight hectares, just as a lump sum, you know, without going through the calculations. And those two blocks did make that. But that was an area that was pointed to, but that's without doing the soil analysis. Because as we know, they don't grow in dips where there's, where there's more clay, never been recorded there and and that's why Unit six for example is out of the equation. Plus it's got TasNetworks in it. It's just lucky that the power lines go through there actually because it's not an orchid area, but on their visit, that was one area that they looked quite favorably at and discussed, but it may be that on the other side of the driveway, there's what, what's your definition of critical habitat?

02:07:56 s36

That well, critical habitat is I used slightly more nuanced habitat assessments than they wanted me to use. I core habitat around known populations because they're knowns. Then where it was similar based on superficial and not soil tests, superficial assessment of the plant species associations, I caught that potential habitat and then the rest of it where and it's even here, I called the secondary habitat, where it might some of that might be potential habit you have to look a bit more closely.

02:08:30 s36

Yeah, but how does that relate to the EPBC?

02:08:33 s36

Well, then they, the two out of those three, they called two, said two of them called, they call the population and anything where it's similar with that population in, they called that critical habitat, so they, they...

02:08:45 s36

Because the act says, it's the land type regardless of whether they're present or not.

02:08:49 s36

Yeah, yeah. So it seemed different enough to me here now.

02:08:49 s36

Why? Why is that clearly different?

02:08:57 s36

Because for the very reasons you said, but perhaps I've overlooked patching here. That's more comparable to that, cause that's what...

02:09:01 s36

No, it's unit six there. It's only very narrow. That's the one with the clay. But this is quite different up here.

02:09:10 s36

Well, I spent a lot of time searching in there and there are some orchids in there, you know, a few other species.

02:09:20 s36

When did you do that?

02:09:22 s36

When doing the original survey. When I was trying to establish what the habitat was.

02:09:25 s36

That was just the strip along the road, wasn't it? You didn't come in.

02:09:30 s36

No, no, it would have been surveying whatever the actual band would have been, so I've only would have been in here, not never been in there. And so what we could look at this and it may all be that we come out and draw it, say this is you know there's good reason to add that as some critical habitat. And then it's a matter of what? What will the offset achieve? So. So I'd have to explore the what you'd be

looking for, I mean, how is it an offset in this? Like saying additionality is something would be have to change to that site.

02:10:02 s36

Yeah, well, it's unmanaged at the moment.

02:10:05 s36

So you talk about slashing and weeding and...

02:10:07 s36

Well, that's what I do anyway, if anyone had bothered to ask.

02:10:08 s36

There's historical records of spider orchids in seven and eight and on the verge of nine and 10 but there's not...

02:10:22 s36

They couldn't put them on the NVA because they were in leaf stage and without the flower and they couldn't tell whether they were poor data, which is.

02:10:28 s36

Well, that's the trouble isn't it, all the ones out here that have flowered, you know?

02:10:32 s36

But they could be sagicolor, I mean, they're either critically endangered or threatened.

02:10:40 s36

That's the only two spider orphans here at that time of year.

02:10:43 s36

And the same applies to the land over at the airport. I mean, you remember when we were here looking at up in the corner of Unit four, you had two guys with you, I can't remember who they were. And you know, when we slashed up in that corner, which was the first time we've been done because s36 would have been sick. My husband had cancer and he couldn't cope with everything. So and you know one of your guys said, you know, like we're taking this cover away and these, the tubers, they have a tuber and it's persistent. And it was probably, certainly over 10 years since that had been slashed and they came back. And one of your guys said, well, this could apply to the land over at the airport as well. So, you know, there's critical habitat beyond the bounds of Milford.

02:11:26 s36

I've got to be back in town to facilitate a meeting at 1:00 pm. I think my general consensus is that the current offset management or the current offset proposed does not have landowner consent and is unlikely to have landowner consent.

02:11:51 s36

Well, unless it can be demonstrated to me that that meets the criteria of the Act and other things and which I haven't even got advice on yet until the driveway is sorted and the whole lot of other things...

02:12:03 s36

Well, it'll make a lot more sense if looking at one that you've actually, you've got... I mean the other becomes academic squabble and anyway, we still need buy-in from you as the land owner and rather than being convinced reluctantly about something, it would be much better to have something here and engage with.

02:12:20 s36

I'll go back to the department, the Commonwealth departments visit when we drove around and it was back then, you know, and he then left and went to TasPorts shortly afterwards. But that was all recorded and it was all sent to the department.

02:12:34 s36

But I guess for benefit, what we need consent from the department to do is to have a conversation between s36 and s36 to talk about the potential of changing the offset.

02:12:46

From what I'm hearing that, that could potentially say no to that because they're fixated on Unit four, isn't it?

02:12:53 s36

No, they. No, they're not too fixated on...

02:12:55 s36

They just want an offset that can grow works through their system.

02:13:03 s36

They don't care. They haven't fixated on anything.

02:13:09 s36

When they came here, they were most interested in seven and eight. It's astonishingly that...

02:13:12 s36

I didn't know. I had never heard the phrase, I've never raised that with.

02:13:17 s36

Well, we've got four of them here and it's all documented and the minutes were written up and circulated.

02:13:21 s36

But they're not going to accept an offset management plan that is not endorsed by the landowner.

02:13:28 s36

It's very interesting, from the very outset here, I've seen the department going, oh, we want to do this, and s36 saying, yeah, but I don't know if I like that and sure, and the department saying well look, OK how about we'll just go and do it and...

02:13:43 s36

And you'll come along with us eventually.

02:13:46 s36

Look, before we really put the shoulder of the wheel, can you give us any sort of, any sort of certainty around the use of Unit four and whether you agree to that, assuming we come up with something? s36 saying, well, look, go ahead and do it, but I've got a lot of caveats around that, I'm not giving you consent, where what it should have been from the start, assuming that the process that needs to go to the Commonwealth must have the consent of the landowner and the consent of the landowner cannot be compelled and what, I know, s36 under advisement on that front. Well, it's not even duress. It's more that if as a matter of law, whatever gets put to the Commonwealth can't be implemented without s36 approval, then what's the point? Like whatever, whatever goes in the referral, and my understanding is the referral can be made without your permission, but what would be the point? Well, it's like me applying to Clarence to build a house there - I could do it, and I could get a permit, but I can't do anything with a permit because it's s36 land. I think the department needs to give the green light to a collaborative approach between s36 and the departments appointed consultant to work up something that will work for everybody and achieve everybody's goals.

02:15:09 s36

Which is what Suk Maan needs to go and get advice on. So we could potentially put in a tentative time for tomorrow afternoon, but I appreciate that the department doesn't always move quickly. has only just come back if she needs to buy in to it as well. We may not get a response until lunch time or tomorrow afternoon.

02:15:32 s36

Probably work out a suitable time, but, you know, I really appreciate. I think we've actually advanced quite a lot. That might not seem like it, but I think we actually have advanced in that we are getting closer to singing out of the same hymn book...

02:15:54 s36

If anything today was about confirming that where, we don't want to take that really hard task rule and yes, they have, I think the department has identified that there does need to be more consultation, which is again why I'm sitting at the table.

02:16:06 s36

Yeah. We really appreciate that and I think, you know, we've also got to look long term about this, so I know these plans have 20 years or some arbitrary timeline. You know, in the future, none of us will be

here. And the objective is to preserve those orchids for future generations, not just us, not just for the next 20 years. I won't be the landowner one day, I'll be dead, or I might sell it, you know. So we need a lot more certainty, because you've got to get a buy in that I'm comfortable putting in my will for my daughter or whoever has to, you know, I've got to find whoever's coming after me. And I'm not prepared to bind them to something that's not going to work, you know, or I'll put this on the open market and some rich Chinese person buys it or a rich Californian, you know, or whatever or whoever buys it. You know, they might turn around and say well, this thing you agreed to

02:17:05 s36

Means I'm going to knock the price down considerably...

02:17:05 s36

Well, not just the price, but you know, they might say well get stuffed. You know, we're not going to do it. And then where are we, you know, so it's got to be a very rigorous process with buy in that I'm comfortable in passing the baton to the next custodians. And that may, and I'll put this on the table right now, that may involve indigenous involvement. And I've been consulting with the indigenous community about this for probably 15 years long before this project came up. So that's another factor that hasn't really been considered yet. You know, you've gotta go, so.

02:17:45 s36

I was going to say, now when we talk about things that excite me, it's that.

02:17:54 s36

Well, that's because at the end of the day, they've touched up, the best custodians of this land are the indigenous people, we've just been temporary baton holders, the s36 family but at the end of the day we want something that's doable and achievable and is properly resourced into the future and it takes all these values into consideration.

02:18:33 s36

Can we still meet tomorrow and start exploring some of the stuff, that's not gonna affect anything.

02:18:48 s36

That will depend on the department because they're ultimately paying for it.

02:18:51 s36

I was going to say, that's the department's decision.

02:18:59 s36

I'm willing to take that risk. They don't want to pay me for it. I'd rather keep things, .

02:19:06 s36

I don't think it's a case of they don't want to pay you for it. It's a case of there's a slight change to the strategy, and we need to make sure that those who defend it to...

02:19:15

As much as you want to have transparency. We want to have visibility...

02:19:23 s36

Just so I understand that. Well, you work it out and come back to us with some dates then.

02:19:28 s36

The way to get this done, is collaboratively, which really hasn't happened much up till now and and that's hence, we've got a lot of animosity and distrust. That looks like it's all about to change, which is good.

02:19:45 s36

So wait to hear from you then. Don't do anything.

02:19:48 s36

Well, thank you all very much.

02:19:48 s36

Before you go, they were talking at one stage about doing LIDAR contours over there. Has that been done?

02:20:00 s36

I'll have to look at that, it's something I did ask about, yeah, to work out where the water would drain.

02:20:28 s36

Thank you. We'll close the meeting, OK?

02:22:24 s36

I was going to say, for the purposes of recording, we're closing the meeting at 12:22 pm.

RECORDING END.

duplicate



Access onto “Milford” property (1431 Tasman Highway, Cambridge) for Road Planning and Design Purposes – Process for Department of State Growth staff and consultants

Description

This process outlines the steps required to gain access to the “Milford” property, located at 1431 Tasman Highway, Cambridge (PID 2865497, C/T 137587/1), owned by **s36**, for the purpose of undertaking investigations, surveys, or other activities as part of project planning and design.

Assumptions and Dependencies

- Staff and consultants performing this process have access to, and are trained in the use of:
 - the Department’s Electronic Document and Records Management System, Content Manager (CM) (*State Growth staff only*)
 - SR customer relationship management database, Consultation Manager (*Engagement Consultant only*)

Business Rules

- This process is to be followed for all access to the “Milford” property, located at 1431 Tasman Highway, Cambridge (PID 2865497, C/T 137587/1), property.
- A register of requests for access shall be maintained by the project’s Engagement Consultant, including date of request, associated documentation issued or requested, agreed dates of property entry, comments on reason for entry or refusal and general comments as to approval/authorisation or landowner concerns.
- Access to this property must be negotiated with the landowner, and consent provided by the landowner in writing prior to anyone visiting the property.
- If a landowner cannot be contacted despite multiple attempts, or if consent is refused, the Project Manager and the Consultant must re-assess the need to access the land, taking into account relevant factors, including, but not limited to:
 - impact of the activity on the land (e.g. geotechnical investigations that require digging vs surveys that can be done without the need for any invasive actions)
 - potential risks if the activities are not undertaken (e.g. additional delays or costs due to unidentified design issues, environmental harm if threatened species habitat is disturbed due to incomplete information, etc.)
 - alternative ways to gain the information required without entering the land (e.g. undertaking investigations on neighbouring land).
 - any potential or perceived risk to the health and safety of those entering land.

If, after this re-assessment, access is still deemed necessary, the Consultant or Project Manager can seek authorisation to enter the land under the relevant legislative provisions, either Section 39 of

the *Roads and Jetties Act 1935* or Section 54 of the *Land Acquisition Act 1993*. This process is outlined under a separate process (*insert process detail here*).

- If the property owner is unable to be contacted, the Engagement Consultant must be able to demonstrate that they have made multiple genuine attempts to contact the property owner via all available methods, which could include, but is not limited to:
 - phone call
 - email
 - letter sent via registered mail.
- On the day of entry, all persons undertaking the work must follow the property's entry procedures as specified by the property owner (i.e. sign in, induction, etc).
- All persons undertaking the work must carry photo identification which can be suitably used to confirm their identity.
- When entering the "Milford" property, all staff and consultants must:
 - minimise the impact on the land, as much as possible
 - make good any damage caused while undertaking the works
 - close gates behind them and generally maintain the security of any property (such as livestock) while on the land
 - adhere to any relevant biosecurity protocols, and, where the land is working farmland, follow any reasonable instructions from workers to protect against the spread of pests, diseases, and weeds.
- Prior to departing the property, all persons undertaking the work must follow the property's exit procedures as specified by the property owner (i.e. sign out, contacting property owner to advise of departure, etc).

Released under RTI

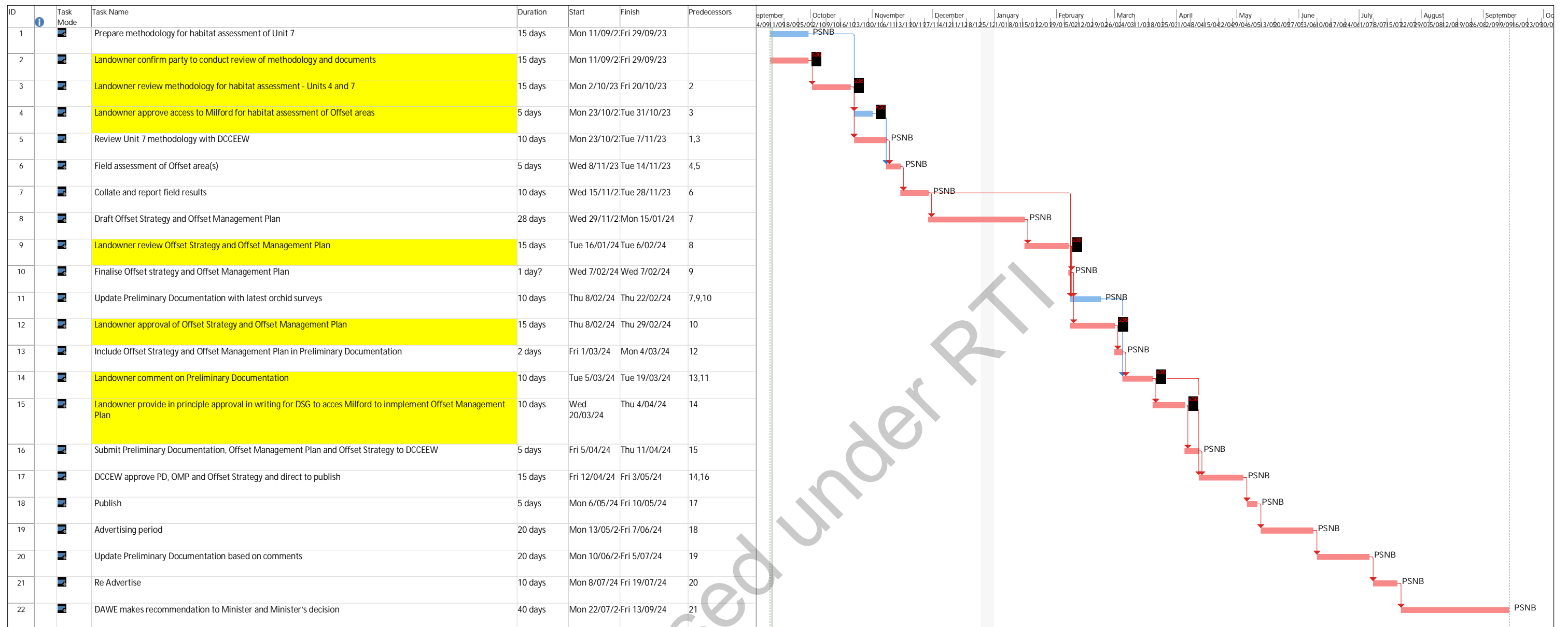
PROCESS FLOW

I.1 Entry by Owner Consent

Step	What	Who	How	Docs/Ref
1	Identify Need for Access	Project Manager / Consultant	<ul style="list-style-type: none"> Identify that the “Milford” property needs to be accessed to undertake investigations, surveys, or other planning activities Add request to register 	
2	Contact Property Owner & Request Consent to Enter	Engagement Consultant	<ul style="list-style-type: none"> Make initial contact (preferably via phone call) with landowner in accordance with revised Stakeholder and Community Engagement Plan (SCEP) <ul style="list-style-type: none"> If phone call not possible, make contact via email. Explain need to access the land, including possible impacts <ul style="list-style-type: none"> Confirm what document is required for landowner to provide consent for access (i.e. draft report/scope, JSEA/risk management plan, etc) Record all contact (be it successful or not) in Consultation Manager / Content Manager, as required 	Consultation Manager
3	Provide Documentation requested by Landowner	Engagement Consultant	<ul style="list-style-type: none"> Engagement Consultant to coordinate submission of requested documentation to landowner for review and consideration Confirm the below information: <ul style="list-style-type: none"> Whether owner consents to entry onto the land, and if they wish to request any reasonable conditions of entry, including special access arrangements or preferred time of entry Record contact in Consultation Manager / Content Manager, as required <ul style="list-style-type: none"> If consent to enter land is granted, proceed to Step 4 If consent refused OR owner cannot be contacted despite multiple efforts, go to <i>(insert process detail here)</i>. 	Consultation Manager
4	Entry onto property	Project Manager / Consultant	<ul style="list-style-type: none"> Touch base with landowner at least four (4) business days prior to accessing property to re-confirm entry arrangements On the agreed date of entry, enter property and undertake work Confirm with landowners that investigations are complete 	

5	Record Investigations	Project Manager / Consultant	<ul style="list-style-type: none">Record the investigation event in Consultation Manager under the property owner/occupant's name. End process	Consultation Manager
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Released under RTI



Released Under RTI

Project: Milford EPBC Approva
Date: Tue 12/09/23

Task	Summary	Inactive Milestone	Duration-only	Start-only	External Milestone	Critical Split
Split	Project Summary	Inactive Summary	Manual Summary Rollup	Finish-only	Deadline	Progress
Milestone	Inactive Task	Manual Task	Manual Summary	External Tasks	Critical	Manual Progress

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Resource Names	September	October	November	December	January	February	March	April	May	June	July	August	September
2		Landowner confirm party to conduct review of methodology and documents	15 days	Mon 11/09/23	Fri 29/09/23			[Gantt bar: Sep 11 to Sep 29]												
3		Landowner review methodology for habitat assessment - Units 4 and 7	15 days	Mon 2/10/23	Fri 20/10/23	2		[Gantt bar: Oct 2 to Oct 20]												
4		Landowner approve access to Milford for habitat assessment of Offset areas	5 days	Mon 23/10/23	Tue 31/10/23	3		[Gantt bar: Oct 23 to Oct 31]												
9		Landowner review Offset Strategy and Offset Management Plan	15 days	Tue 16/01/24	Tue 6/02/24	8		[Gantt bar: Jan 16 to Feb 6]												
12		Landowner approval of Offset Strategy and Offset Management Plan	15 days	Thu 8/02/24	Thu 29/02/24	10		[Gantt bar: Feb 8 to Feb 29]												
14		Landowner comment on Preliminary Documentation	10 days	Tue 5/03/24	Tue 19/03/24	13,11		[Gantt bar: Mar 5 to Mar 19]												
15		Landowner provide in principle approval in writing for DSG to access Milford to implement Offset Management Plan	10 days	Wed 20/03/24	Thu 4/04/24	14		[Gantt bar: Mar 20 to Apr 4]												

Released under RTI

Project: Milford EPBC Approva Date: Tue 12/09/23	Task	Summary	Inactive Milestone	Duration-only	Start-only	External Milestone	Critical Split
	Split	Project Summary	Inactive Summary	Manual Summary Rollup	Finish-only	Deadline	Progress
	Milestone	Inactive Task	Manual Task	Manual Summary	External Tasks	Critical	Manual Progress

From: |
To:
Subject: RE: Milford: Meeting Transcript - Further inputs required
Date: Monday, 28 August 2023 8:27:35 AM

Hi

s36 is on leave until Thursday. I'll ask her to give priority to your request when she returns. Might be best if you give me a call to clarify your request on timing around s36 decision making and also the last dot point. Are you referring to the compensatory planting area? (not the offset area, which has still to be determined). We have been waiting for months for s36 to authorise work in the compensatory planting area. She wanted a management plan and that has been sent to you. was working on the lease.

Regards

s36

Principal Engineer

Mobile s36 | s36 @pittsh.com.au | [Connect on LinkedIn](#)

Hobart Office — Level 1, Surrey House, 199 Macquarie Street
PO Box 94 Hobart Tasmania 7001 | Phone +61 3 6210 1466

pittsh.com.au

duplicate

From: [REDACTED]
 To: [REDACTED]
 Cc: [REDACTED] - pitt&sherry
 Subject: RE: SETS - Milford and Golf Club - sharing stakeholder engagement status knowledge Causeways AND Airport to (west of)
 Date: Thursday, 7 September 2023 8:53:00 AM
 Attachments: [image001.png](#)

Morning all,

Can we please proceed with the meeting as planned and have a drawing/map to discuss potential impacts and survey areas.

[REDACTED], the President of the Tasmania Golf Club.

[REDACTED] and P & S as your working across both projects can we please ensure that all landholder communication is discussed with both and me before it occurs. We have an agreement on impacts and compensation with the Tasmania Golf Club that is being negotiated by the Crown Solicitors office and high level meetings by our GM to the clubs President and legal advisors so everything needs to be discussed in that context and not directly to [REDACTED].

Thanks,

[REDACTED] | Project Management Team Leader
 State Roads | Department of State Growth
 Level 2, 4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
 Email: [@stategrowth.tas.gov.au](mailto:[REDACTED]@stategrowth.tas.gov.au) / MB: [REDACTED]
www.stategrowth.tas.gov.au

Courage to make a difference through
TEAMWORK | INTEGRITY | EXCELLENCE | RESPECT
In recognition of the deep history and culture of this island, I acknowledge and pay my respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land.

From: [REDACTED] <[\[REDACTED\]@stategrowth.tas.gov.au](mailto:[REDACTED]@stategrowth.tas.gov.au)>
 Sent: Wednesday, 6 September 2023 4:40 PM
 To: [REDACTED] <[\[REDACTED\]@pittsh.com.au](mailto:[REDACTED]@pittsh.com.au)>; [REDACTED] <[\[REDACTED\]@stategrowth.tas.gov.au](mailto:[REDACTED]@stategrowth.tas.gov.au)>; [REDACTED] <[\[REDACTED\]@pittsh.com.au](mailto:[REDACTED]@pittsh.com.au)>
 Cc: [REDACTED] <[\[REDACTED\]@pittsh.com.au](mailto:[REDACTED]@pittsh.com.au)>; [REDACTED] <[\[REDACTED\]@pittsh.com.au](mailto:[REDACTED]@pittsh.com.au)>; [REDACTED] <[\[REDACTED\]@pittsh.com.au](mailto:[REDACTED]@pittsh.com.au)>
 Subject: FW: SETS - Milford and Golf Club - sharing stakeholder engagement status knowledge Causeways AND Airport to (west of)

Thanks [REDACTED] for having this information at your finger tips,

This is a very useful update. Thanks for the meeting invite, which has arrived in my inbox, with this information we may find we don't need the meeting but let's keep it in our calendars until you hear otherwise from [REDACTED] or I.

Hello [REDACTED] – silly question but I am being thorough - Is [REDACTED] at the Golf Club a person with authority in regard to the club's business affairs? If you don't know I can approach [REDACTED] to find out if [REDACTED] is the best point of contact for club decision making, and if not, who is.

Hello [REDACTED] – please consider [REDACTED] information in the email below and my question for [REDACTED] above. May we please discuss tomorrow? - once [REDACTED] responds we simply may need to inform [REDACTED] that our understanding is that everything is in order and surveys on club land can proceed as scheduled.

- Please note that pitt&sherry flag that Milford may need ecological re-surveying if, presumably, the State Growth planner and ecologist recommends that we have to revisit the planning permit and 'permits to take' and EPBC Act referral and applicable State Growth Managers agree.

[REDACTED]
 s39

Regards

[REDACTED] | Project Manager
 Programming and Delivery | Department of State Growth
 Ph 6166 3320 | Mob [REDACTED]

From: [REDACTED] <[\[REDACTED\]@pittsh.com.au](mailto:[REDACTED]@pittsh.com.au)>
 Sent: Wednesday, 6 September 2023 2:44 PM
 To: [REDACTED] <[\[REDACTED\]@stategrowth.tas.gov.au](mailto:[REDACTED]@stategrowth.tas.gov.au)>
 Cc: [REDACTED] <[\[REDACTED\]@pittsh.com.au](mailto:[REDACTED]@pittsh.com.au)>; [REDACTED] <[\[REDACTED\]@pittsh.com.au](mailto:[REDACTED]@pittsh.com.au)>; [REDACTED] <[\[REDACTED\]@pittsh.com.au](mailto:[REDACTED]@pittsh.com.au)>
 Subject: RE: SETS - Milford and Golf Club - sharing stakeholder engagement status knowledge Causeways AND Airport to (west of)

Hi

Correct we do not currently have a map showing the impacted area.

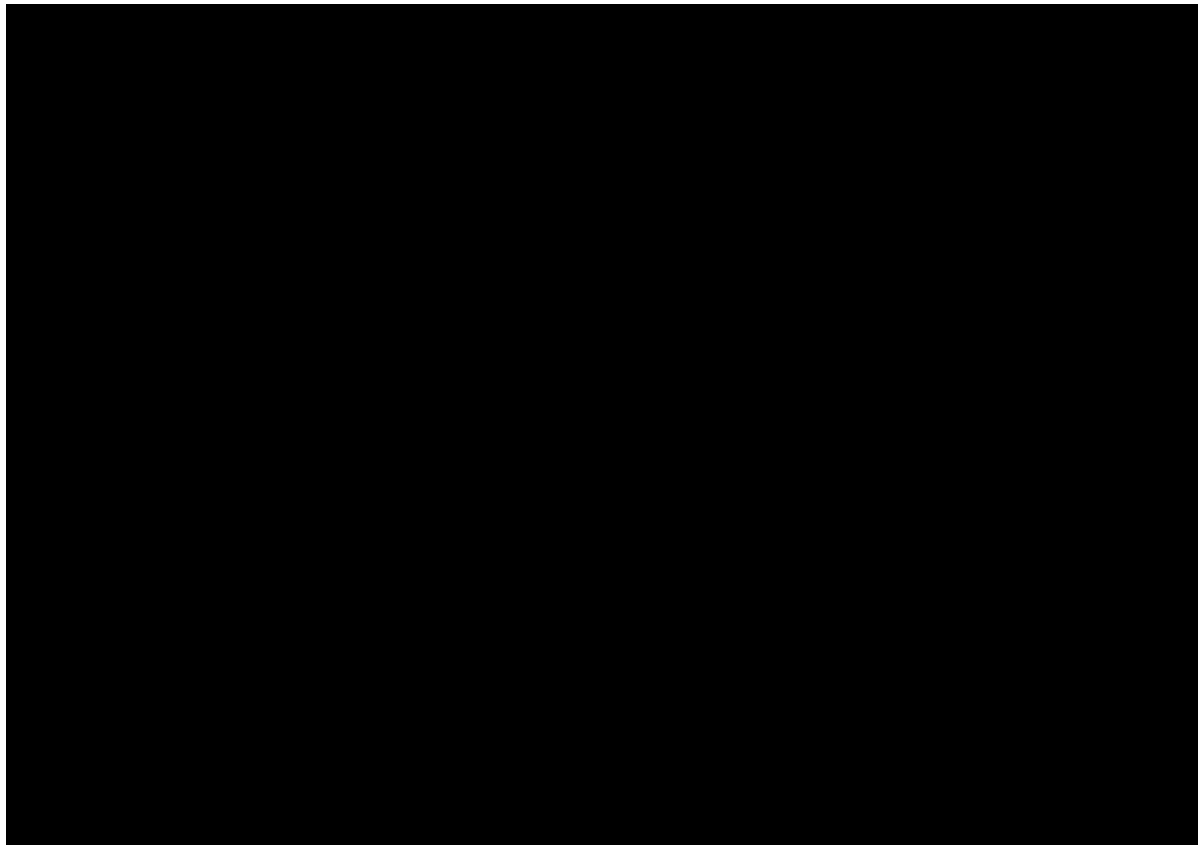
Change Order #13 (approved by DSG on 10/08/23) relates to investigating the concept design in this area. This deliverable is due to the DSG on the 21st September.

Below is the terrestrial ecological survey investigation area (in orange) for the updated NVA's.

NBES are provisionally set to go out to conduct their spring survey for the causeways project commencing on the 18th September. s36 negotiated access for their winter survey in July with John at the golf club. He was fine for the survey to go ahead but he wanted to know the area which was provided in an email.

I understand from NBES that the area and date which requires surveying for the Hobart Airport – Midway Point Causeway project has not yet been set. Also flagging that the area in the Milford Property will be required to be re-surveyed to ensure currency. This will be required if the Hobart Airport – Midway Point Causeway project requires a new DA or even a minor amendment as we will need to provide an amended NVA report (with currency) for the new design.

Happy to still meet to discuss (and will send the meeting invite out now), however from the causeways project perspective it would be best to head out as planned on the 18th September if possible to ensure we do not miss the orchids flowering as they are flowering earlier this year. I will check with s36 (NBES) if there is a week or two leeway with regards to their flowering.



Thank you.

Kind Regards,

s36

s36

Associate Coastal and Environmental Engineer

s36 | Ph 03 6323 1923 | s36 @pittsh.com.au | pittsh.com.au

Launceston Office — Level 4, 113 Cimitiere Street
PO Box 1409 Launceston Tasmania 7250

From: <s36@stategrowth.tas.gov.au>

Sent: Wednesday, 6 September 2023 2:00 PM

To: s36 <s36@pittsh.com.au>; s36 <s36@pittsh.com.au>

Subject: RE: SETS - Milford and Golf Club - sharing stakeholder engagement status knowledge Causeways AND Airport to (west of)

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Hello s36

Thanks for taking this task on s36

Not sure that the acquisition map can be actually drawn yet as alignment options for the causeways can't be assessed until the enviro values between the golf course and highway are known.

Unless s36, you mean a map of the area *to be investigated for ecological values and assessed for golf course impacts.*

Aside – is there only a limited number of potential issues that can be considered at this early, concept stage? – e.g. a hypothetical, currently unknown geology may mean we ultimately have to blast out rock, we might have some limited geological information already but we won't get detailed site specific geotech before we assess the Midway point causeway west end alignment options... is that blasting cost worth it, to avoid further Milford property acquisition...?

Regards

| Project Manager
Programming and Delivery | Department of State Growth

Ph 6166 3320 | Mob s36

From: s36 <@pittsh.com.au>

Sent: Wednesday, 6 September 2023 1:47 PM

To: <@stategrowth.tas.gov.au>

Subject: FW: SETS - Milford and Golf Club - sharing stakeholder engagement status knowledge Causeways AND Airport to (west of)

Importance: High

s36
Associate Coastal and Environmental Engineer
M s36 | Ph 03 6323 1923 | s36 @pittsh.com.au | pittsh.com.au
Launceston Office — Level 4, 113 Cimitiere Street
PO Box 1409 Launceston Tasmania 7250

From: s36

Sent: Wednesday, 6 September 2023 1:13 PM

<@stategrowth.tas.gov.au>

Cc: s36 <@pittsh.com.au>

Subject: FW: SETS - Milford and Golf Club - sharing stakeholder engagement status knowledge Causeways AND Airport to (west of)

Importance: High

Hi ,

Thank you for the below.

I have the meeting provisionally set for Friday 15th September 10 – 11am, however will touch base with our GIS guy to ensure we can create the map in time, and with to ensure we have all the information required.

Thank you.

Kind Regards,

s36

s36
Associate Coastal and Environmental Engineer
M s36 | Ph 03 6323 1923 | s36 @pittsh.com.au | pittsh.com.au
Launceston Office — Level 4, 113 Cimitiere Street
PO Box 1409 Launceston Tasmania 7250

From: @stategrowth.tas.gov.au>

Sent: Wednesday, 6 September 2023 12:10 PM

To: s36 @pittsh.com.au>

Cc: s36 @pittsh.com.au>; s36 @pittsh.com.au>;

< @stategrowth.tas.gov.au>; s36 @pittsh.com.au>;

< @stategrowth.tas.gov.au>

Subject: SETS - Milford and Golf Club - sharing stakeholder engagement status knowledge Causeways AND Airport to (west of)

Importance: High

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Hello s36

, one of the State Roads Division, Programming and Delivery Branch's* Project Management Team Leaders is looking after the Hobart Airport to Midway Point Causeways project while the DEPT-PM is on indefinite leave.
*The Branch I'm in but is my Team Leader

and I sit next together when in the office and we are rubbing shoulders together on SETS projects to coordinate our efforts.

has identified that we need to keep State Roads Division managers informed of our proposed acquisition and associated flora and fauna investigations on Tas. Golf club land...

...because these two are negotiating with the Golf Club and their lawyers an agreement for approx. s38 worth of accommodation (course rearrangement) works resulting from acquisition for the hwy upgrade.

I and would like to meet with the following pitt&sherry people and state growth's senior engagement officer so that we are all on the same page and preparing consistent information for to present to the Golf club.

I also offer the times when the three state growth persons are available next week.

DSG

Available windows next week
Wed 13 Sept - 9am to 2.30pm
thurs 14 Sept 0 - 9am to 10 am
Fri 15 Sept - 9.30 am to 12 pm

pitt&sherry

s36

Current document idea and issues preventing its production:

- desires a map that shows the Golf Club area we are investigating or proposing to acquire for the Midway Point Causeways duplication to give to so that we only negotiate with Golf Club once
 - Acquiring more Golf Club land may impact on the golf course so much that it loses it's international? Rating/standard.
 - This can't be assessed until the approximate area of land is known, based on a basic concept roadworks design
 - Pitt&sherry are being engaged to conduct this concept this concept design investigation and impact assessment – to see if further Milford property land acquisition can be avoided and predict the outcomes for the Golf club – should this option be pursued.
 - Required for State Growth to make decision about which option to pursue.
 - Some of the road reserve and Golf Club land contains native species, the value of which is yet to be surveyed and documented.
 - Unfortunately the pitt&sherry investigation of the engineering options and impacts on Golf Club and ecological values can't proceed until the North Barker ecological Services (NBES) survey on golf Club land is conducted.
 - Pitt&sherry have engaged NBES to conduct this survey, not sure of status but I think first stage is done and they wish to return in November to target other species that flower then.
 - So I think the Golf Club has already given permission for this but perhaps we have not informed of this activity.

Would you please set up this meeting at your earliest reasonable opportunity?

Regards

| Project Manager

Programming and Delivery | Department of State Growth
4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
Phone: (03) 6166 3320 | Mobile: 536 [REDACTED]
www.stategrowth.tas.gov.au

Courage to make a difference through
TEAMWORK | INTEGRITY | RESPECT | EXCELLENCE

In recognition of the deep history and culture of these islands, I acknowledge and pay my respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land & Water.

Please note I work 4 days across 5 days, Monday to Friday.

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From:
 To: s36 ; s36
 Cc: s36
 Subject: RE: SETS - Milford and Golf Club ecological surveys and potential acquisition options - sharing property owner engagement knowledge - Causeways AND Airport to (west of) of Midway causeway projects
 Date: Thursday, 7 September 2023 1:00:08 PM
 Attachments: image002.png
 Importance: High

Thanks s36, and s36, this is constructive - renewing our across-projects collaboration

- and it appears we did not accidentally cause a problem whilst operating on my project without some of the context and situational knowledge
- good we are talking to the same s36 at golf club

– I will approach you when we are both in the office today to discuss the NBES ecological survey planned for 18th Sept on golf club land – I'd like to go ahead with this with simply making aware to pass onto crown law and golf club reps/solicitors but need your counsel and agreement

s36 – would you please work with s36, and others at pitt&sherry if applicable, to determine if it is possible to produce a:

1. “proposed acquisition area avoiding further Milford property acquisition” ***

and/or

2. “ecological and geotec. and other? investigations area”

MAP...

BY the earmarked meeting on next Friday, the 15th of September ?

*** Given the deliverable for Midway causeway acquisition options is not due till Thursday 21 September it doesn't appear possible to produce a Number 1 MAP... to the concept design level accuracy that is desired – by Friday 15th Sept the options also would not have yet gone through an options assessment by pitt&sherry and decision process at State Growth, so such a map should not be shared with Golf Club or Milford or outside State Roads Division until that has occurred

s39

Happy to discuss or clarify.

Kind regards

| Project Manager
 Programming and Delivery | Department of State Growth

Ph 6166 3320 | s36

From: s36 @pittsh.com.au>
 Sent: Thursday, 7 September 2023 10:39 AM
 To: @stategrowth.tas.gov.au>; @stategrowth.tas.gov.au>; s36
 s36 @pittsh.com.au>
 Cc: s36 @pittsh.com.au>; s36 @pittsh.com.au>
 Subject: RE: SETS - Milford and Golf Club - sharing stakeholder engagement status knowledge Causeways AND Airport to (west of)

Good morning all,

@, in response to your question, is correct – the s36 referred to in s36 email is s36.

@, thank you for this additional information – I was not aware of this at the time of contacting s36 to arrange access for surveys. I am now.

Kind regards,

s36

duplicate

From: s36
To:
Cc: s36
Subject: RE: SETS Airport to Causeway project - webpage drawing update
Date: Tuesday, 22 August 2023 9:06:49 AM
Attachments: [image001.png](#)
[HB19197-P110-1.pdf](#)

Hi ,

Please find attached an updated roll plan for the Airport Interchange to Midway Point Causeway. Let us know if you have any comments or queries.

Cheers

s36

pitt&sherry

s36

General Manager – Transport Tasmania

Direct +61 3 6210 1406 | Mobile s36 | s36 [@pittsh.com.au](mailto:s36@pittsh.com.au)

pittsh.com.au

[COVID-19 guidance for our clients, guests, suppliers and contractors](#)

out of scope

Tasman Highway - Airport to Midway Point Causeway



From: |
To:
Subject: RE: Tasman Highway - Realignment
Date: Wednesday, 23 August 2023 1:51:22 PM
Attachments: [image001.png](#)
[HB19197 Hob Airport to Tasmania Golf Club Est 06102022.pdf](#)

Hi

In response to your questions from last week, please refer below in red.

Regards

s36

Principal Engineer

Mobile **s36** | **s36** [@pittsh.com.au](mailto:s36@pittsh.com.au) | [Connect on LinkedIn](#)

Hobart Office — Level 1, Surrey House, 199 Macquarie Street
PO Box 94 Hobart Tasmania 7001 | Phone +61 3 6210 1466

pittsh.com.au

From: @stategrowth.tas.gov.au>
Sent: Tuesday, 15 August 2023 3:41 PM
To: **s36** [@pittsh.com.au](mailto:s36@pittsh.com.au)>
Cc: **s36** [@pittsh.com.au](mailto:s36@pittsh.com.au)>;
s36@stategrowth.tas.gov.au>
Subject: RE: Tasman Highway - Realignment

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Thanks **s36**,

We can talk through this when you are free. I understand that this is just an initial layout and so as the design develops some of the implications for this re-design would become clearer, but some of the issues the Department would need to understand better are the following:

S339

S39

	P50 \$'M	P90 \$'M
Base estimate	23	23
Contingency	5	7.3
Escalation	2.4	2.6
	30.4	32.9

| Project Management Team Leader
State Roads | Department of State Growth
Level 2, 4 Salamanca Place, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
Email: [@stategrowth.tas.gov.au](mailto:stategrowth.tas.gov.au) / MB: **S36**
www.stategrowth.tas.gov.au

Courage to make a difference through

TEAMWORK | INTEGRITY | EXCELLENCE | RESPECT

In recognition of the deep history and culture of this island, I acknowledge and pay my

respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land.

From: s36 [REDACTED] <[REDACTED]@pittsh.com.au>

Sent: Tuesday, 15 August 2023 1:20 PM

To: <[REDACTED]@stategrowth.tas.gov.au>;

<[REDACTED]@stategrowth.tas.gov.au>

Cc: s36 [REDACTED] <[REDACTED]@pittsh.com.au>

Subject: Tasman Highway - Realignment

Hi

Attached please find an extract from the revised design model in the vicinity of Pittwater Road.

The key implications from the proposed change are listed below

- i. The proposed realignment affects approximately 400 metres of the original design.
- ii. The Milford boundary moves approximately 14 metres to the north. Where previously the new boundary was 19 metres inside the property, it is now a maximum of 5 metres inside the property. This change avoids any impact on orchid habitat.
- iii. The corresponding change to the Golf Course boundary moves it approximately 10 metres further into the property.
- iv. There is no requirement for acquisition from Barilla Bay and their access is not changed.
- v. Highway shoulder widths have been reduced to 1 metre to accommodate this change.
- vi. An additional retaining wall will be required on the southern side of the highway east of Pittwater Road
- vii. Our planner thinks an amendment to the planning permit will be required as a minimum and suggests that we discuss the matter with Clarence City Council. There is some chance that Council will require a new Development Application
- viii. The change to the completed design will be substantial involving the geometric realignment and changes to drainage, Telstra, NBN, Taswater, Tasnetworks, traffic signal conduits and pits
- ix. Revised property surveys, acquisition diagrams and Notice to Treat will be required for the Golf Course. In the case of Milford, we have acquired two parcels of land – 3610 m² east of Pittwater Road and 4553 m² further east of that adjacent to the existing highway access. The proposed design change would reduce the first parcel to 2305 m². It is assumed that the 1305 m² that would now not be needed would be transferred back to Milford, otherwise the Department would be responsible for the orchids on it.
- x. As authorised by [REDACTED] this morning, I have sent this proposed redesign to the Golf Course Designer ([REDACTED] at Contour Golf) for verification that it meets safety requirements. His previous recommendation at the 16th hole was that we provide a separation from the centre line of the fairway to the property boundary of 80 metres. The original design provided 90 metres and the realignment reverts to the recommended 80 metres.
- xi. Based on previous discussions with the Golf Club, we can expect that they will have concerns about the further loss of amenity that will result from this change.

Regards

s36

Principal Engineer

Mobile s36 | s36 @pittsh.com.au | [Connect on LinkedIn](#)

Hobart Office — Level 1, Surrey House, 199 Macquarie Street
PO Box 94 Hobart Tasmania 7001 | Phone +61 3 6210 1466

pittsh.com.au

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S38

From: s36
To:
Subject: Revised management plan - Milford Compensatory planting
Date: Tuesday, 5 September 2023 4:45:02 PM
Attachments: [image001.png](#)
[T-P.19.0406-00-ENV-REP-001Rev02-RMP.pdf](#)
[T-P.19.0406-00-ENV-REP-001-Rev02-RMP.DOCX](#)

Good afternoon

Here is the revised plan incorporating changes.

Regards

pitt&sherry

s36

Principal Engineer

Mobile s36 | s36@pittsh.com.au | [Connect on LinkedIn](#)

Hobart Office — Level 1, Surrey House, 199 Macquarie Street
PO Box 94 Hobart Tasmania 7001 | Phone +61 3 6210 1466

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29 August 2023

Revegetation Management Plan

Airport Interchange to Causeway 1 - Milford Compensatory Planting



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Glossary

Abbreviation	Expansion
AWS	'Australian Weeds Strategy 2017-2027' (IPAC, 2016)
Biosecurity Act	<i>Biosecurity Act 2019</i> (TAS)
Biosecurity Reg	<i>Biosecurity Regulations 2022</i> (TAS)
DNRE	Department of Natural Resources and Environment (TAS)
DP	Deposited plan
DPIPWE	Department of Primary Industries, Parks, Water and Environment (TAS) (former)
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth)
g	gram
ha	Hectare
IPAC	Invasive Plants and Animals Committee, Department of Agriculture and Water Resources (Cth) (former)
LGA	Local government area
m	Metres
m ²	Square metres
NC Act	<i>Nature Conservation Act 2002</i> (TAS)
RMP	Revegetation Management Plan
subsp.	Subspecies
The Contractor	The contractor appointed by the Department to carry out the RMP
The Department	Department of State Growth (TAS)
The Site	1 ha of land located in the western section of the cleared portion of Lot 1 DP137587
TNVC	Threatened Native Vegetation Community
TSP Act	<i>Threatened Species Protection Act 1995</i> (TAS)
Wildseed	Wildseed Tasmania
WM Act	<i>Weed Management Act 1999</i> (TAS)
WMP	Weed Management Plan
WoM	Weeds of Melbourne
WoNS	Weeds of National Significance

Introduction

pitt&sherry has been engaged by the Department of State Growth (the Department) to prepare a Revegetation Management Plan (RMP) for the compensatory planting located at the Milford property in Cambridge, Tasmania.

Background

The Department is proposing to duplicate the Tasman Highway between the Hobart International Airport and Pitt Water Bluff. The duplication will necessitate native vegetation clearance in close proximity to populations of three threatened orchid species listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the Tasmanian *Threatened Species Protection Act 1995* (TSP Act). The orchid species occur within remnant Threatened Native Vegetation Community (TNVC) *Eucalyptus Viminalis – Eucalyptus Globulus* Coastal Forest and Woodland, listed under the Tasmanian *Nature Conservation Act 2002* (NC Act).

Table 1 details the three orchid species and their threatened species status.

Table 1 Threatened orchids

Scientific Name	Common Name	EPBC Act Status	TSP Act Status
<i>Prasophyllum milfordense</i>	Milford leek-orchid	CE	E
<i>Caladenia saggicola</i>	Sagg spider-orchid	CE	E
<i>Caladenia caudata</i>	Tailed spider-orchid	V	V

EPBC Act: CE = critically endangered; V = vulnerable
TSP Act: E = endangered; V = vulnerable

As part of the landowner engagement process, it had been agreed that an area of compensatory planting be provided on the Milford property (Lot 1 deposited plan (DP) 137587). Although not considered a legal offset to the broader Tasman Highway duplication project, the compensatory planting was an arrangement made between the Department and the landowner to compensate for the removal of *Eucalyptus viminalis* species that will be lost from the Milford property when the highway works are carried out.

Land rehabilitation contractors, Wildseed Tasmania (Wildseed), have been engaged since 2020 to carry out planting activities and maintain the revegetation for the compensatory planting. Past activities have been completed by Wildseed since 2021, while future activities, including the ongoing 10 year maintenance period will be completed by a contractor appointed by the Department (the Contractor).

This RMP has been prepared by pitt&sherry based on advice provided by Wildseed. The RMP outlines the management measures already implemented by Wildseed since their engagement in 2020 and the proposed management measures to be implemented over the remaining maintenance period.

The Compensatory Planting


The compensatory planting is located on approximately one hectare (ha) of land in the western section of the cleared portion of Lot 1 DP137587 (the Site). The compensatory planting involves the planting of locally indigenous species representative of the native vegetation communities in the locality. The compensatory planting aims to restore habitat values comparable to the adjacent remnant forest and

woodland which supports the three threatened orchid species listed in Table 1, thereby potentially increasing the available habitat for the species.


The location of the Site can be seen in Figure 1.

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LOCATION
Milford Compensatory Planting



N
0 200 400
Metre
Scale: 1:15,000 @A4
Coordinate System: GDA2020 MGA Zone 55
MAP REF: P-19.0406
AUTHOR: S36
REV: A
DATE: 13/06/2023
DATA SOURCES: Aerial imagery from ESRI,
Data from the LIST, State of TAS,
Project Specific Data

LEGEND

 Site	 Nature Reserve
 Major City	 Public Reserve
 Hobart International Airport	 Local Government Area
 Milford Property	 Cadastral Boundary

Figure 1 Location of Site

Purpose

The RMP is intended to serve as a guide to revegetation management, including weed management, and to achieve the intent of the planting objectives and design. The RMP is reflective of best practice weed management at the time of writing. It is recommended that the RMP be reviewed and updated as required to continue to reflect best practice weed management over the course of the 10-year maintenance period.

Scope

The scope of the RMP includes:

- Weed management
- Replacement planting; and
- Watering maintenance.

Objectives

The objectives of the RMP are:

- Manage and enhance existing plants and re-establish plants that have not survived
- Provide control measures for identified weeds within the Site
- Minimise the risk of introducing new weeds and associated pathogens to the Site
- Establish an ongoing monitoring and control program for weeds within the Site; and
- Ensure that future rehabilitation works within the Site are not compromised by the growth of weeds or associated pathogens.

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Management and Maintenance Measures

Propagation and Planting Methodology

Selection

To meet the aim of the compensatory planting and increase successful establishment of the native plantings, a selective process was adopted to ensure the survival of the “fittest” individuals. The selective process would eliminate the individuals that would have likely been unsuccessful at surviving long term climate conditions and/or outcompeting weed species. The selective process involved:

1. Selecting best material to take at vegetative propagation stage
2. Selecting best seeds/fruits to harvest at seed collection stage
3. Rejecting runts, hybrids and other poor performing seedlings at pricking-out and potting-on stage
4. Rejecting unsuitable individuals at planting stage; and
5. Over-planting and water stress at planting stage.

At planting stage, the tree species were over-planted at the Site to further ensure the survival of the “fittest” individuals with the expectation that the “weaker” individuals would not survive. The native plantings were also subjected to water stress to mimic natural long term climate conditions. This methodology prevented artificially sustaining the plants and favoured the “fittest” individuals which would survive long term climate conditions and were more likely to outcompete weed species.

Native plant species were also selected based on “aggressiveness” of the species. More “aggressive” species were chosen for the shrub and groundcover plantings with the hopes that the nature of the native species would at least match the weed re-incursion. Ideally, with their “aggressive” nature, the native shrub and groundcover would rapidly be able to convert the Site from pasture to predominantly native and keep the weed species to a minimum.

Re-establishment

Following the 2021 and 2022 climate events that have impacted the success of the compensatory planting, re-establishment of the shrub and groundcover layers at the Site is necessary. Replacement of Coastal Saltbush (*Rhagodia candolleana*) is fundamental to the conversion of the Site from pasture to native vegetation.

Re-establishment will entail re-planting unsuccessful species by capitalising on the successful plantings and planting the previously unsuccessful ones around the successful ones. These planting “islands” will be sprayed for weeds and will allow for more efficient control of weed species. It is anticipated that the “islands” will expand and develop until they join up. Additional plantings may be required to help fill the gaps, however, these will be more strategic and more cost effective than implementing another mass planting.

Re-establishment planting will be completed in October 2023 under predicted El Nino climate conditions which favour native species. As per the existing planting, the re-establishment would be over-planted to offset the mortality of the “weaker” individuals. It is expected that a 70% survival rate within the first three years of planting is acceptable and further plantings may not be necessary (refer to the Completion Criteria Section).

Weed Management

Two methods are proposed for weed management on the Site. The General Section outlines general weed management recommendations to be implemented across the Site. The Targeted Section outlines targeted management recommendations for the identified weeds listed in Table 6 based on respective Statutory WMPs and Control Guides.

General

Reafforestation

- Weed suppression

The preferred method for weed management is to suppress them through the planting of native species. Native shrubs and groundcover have been planted with the aim of preventing weed and pasture species from growing. “Aggressive” species have been chosen as they are less likely to be outcompeted by weeds. The strongest and “fittest” individuals have been selected based on the Selection Section and planted to maximise long term success rate.

Re-establishment planting as outlined in the Re-establishment Section would be completed in October 2023 under predicted El Nino climate conditions which favour native species. Should unexpected climate conditions occur, re-establishment may be delayed until optimum conditions are present. Should re-establishment be unsuccessful (refer to the Completion Criteria Section), a new re-establishment methodology will be developed by the Contractor.

Manual

- Brush Cutting

A brush cutting regime will be applied during the next scheduled maintenance visit. The brush cutting will be undertaken across the entire Site by the Contractor to identify the successful plantings and prepare the Site for re-establishment planting as outlined in the Re-establishment Section. Brush cutting will also reduce fire risk at the Site.

Brush cutting may be required at each maintenance visit dependent on the state of weed and pasture overgrowth.

- Hand Weeding

Hand weeding includes weed removal immediately adjacent to the successful native plantings to minimise herbicide contact with the individuals.

Chemical

- Herbicide Spraying

Herbicide spraying will be undertaken by the Contractor across the Site during the biannual maintenance activities. Liberal spraying will be implemented in the southern end of the Site due to greater presence of weeds. Selective spraying will be implemented in the northern end of the Site due to greater presence of native grasses.

Targeted spraying will be undertaken for Capeweed (*Arctotheca calendula*) and Cut-leaf Nightshade (*Solanum triflorum*). Targeted spraying will also be undertaken for the maintenance of the successful planting “islands”. A buffer will be sprayed around the “islands” to ensure the success of the re-establishment planting and encourage the native plantings to spread.

Consultation with the landowner ruled out the use of Glyphosate based herbicides and established that Gluphosinate based herbicides be used instead for spraying. Gluphosinate herbicides are less

potent than Glyphosate herbicides and may be less effective for weed removal. Therefore, frequency of spraying may need to be increased and should be assessed during the next review of the RMP.




DNRE also have a list of suggested herbicides and their recommended application method for four of the weeds identified on Site (refer to Table 2).



Targeted

Table 2 outlines the recommended weed management measures to be implemented to minimise weeds identified on Site listed in Table 4.

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Table 2 Targeted weed management recommendations

Name	Image	Description	Presence	Management	Timing
Capeweed (<i>Arctotheca calendula</i>)	 (myhomeTURF, 2023)	Autumn-germinating annual plant, with seedlings appearing from late February to late April. As plants mature they develop into a rosette, or whorl of leaves close to the ground. The rosettes can be identified by the undersides of the leaves which are whitish and covered by a thick mat of short hairs. Flowering occurs in late spring and early summer; the masses of yellow, daisy-like flowers with dark, almost black centres are conspicuous from a considerable distance. Capeweed dies off in late summer. (DNRE, 2022b)	Within Site	Spot spray individuals Hand weed individuals immediately adjacent to native plantings Additional management techniques can be found in Capeweed Control Guide (DNRE, 2022b); and DNRE recommended herbicides can be found in Herbicides for Capeweed Control (DNRE, 2019a).	Twice annually - in autumn during germination period and in late winter/early spring prior to flowering
Rope Twitch / English Couch Grass (<i>Elytrigia repens</i>)	 (Dimitrovski, 2022)	In pastures and mown areas rope twitch sometimes assumes a prostrate habit and may not produce flowering stems. Erect, perennial grass with an extensive root system with numerous rhizomes. The rhizomes are white in colour and may be several metres long. Shoots and roots develop from nodes along the rhizome. The leaves are medium to light green in colour and are finely pointed at the tips. In cross section the leaf forms a flat "V". The flowers consist of spikelets arranged alternately in two rows, one on each side of the stem. (DNRE, 2022e)	Within Site	Liberal spraying in the southern section of the Site Selective spraying in the northern section of the Site Hand weed individuals immediately adjacent to native plantings Additional management techniques can be found in Rope Twitch Control Guide (DNRE, 2022e); and DNRE recommended herbicides can be found in Herbicides for Rope Twitch Control (DNRE, 2019c).	Twice annually – in summer and autumn
Freesia (<i>Freesia alba</i> x <i>Freesia leichtlinii</i>)	 (WoM, 2018)	A small plant growing each year from underground 'bulbs' with strap-like elongated leaves that are mostly clustered together at the base of the plant. The slender flowering stems are upright but bent horizontally just below the flowers. Sweetly scented tubular flowers are white or cream in colour with purplish and yellow markings and six 'petals' with rounded tips that are partially fused together. It has small green capsules with a rough or wrinkled surface texture. (Lucidcentral, 2016)	Outside Site but within Milford property	Monitor Site for individuals; and Hand weed individuals, including removal of underground 'bulbs' if found.	Twice annually – in summer and autumn

Name	Image	Description	Presence	Management	Timing
Sheep Sorrel / Dock (<i>Rumex acetosella</i>)	 (Clements, 2013)	Perennials and develop a deep tap root. The leaves are broadly spear-shaped, pointed at the tip with a wavy leaf margin. The stem is solid with longitudinal grooves. Several stems can be grown from a single base, with branching occurring towards the top. Green flowers form in clusters and the seeds are found in a three-winged reddish-brown fruiting body. Usually germinate in autumn and develop into rosettes through the winter. A flowering stem emerges in spring and the seed matures through summer. The stems usually die back during autumn and the plants over-winter as rosettes. (DNRE, 2022d)	Within Site	Liberal spraying in the southern section of the Site Selective spraying in the northern section of the Site Hand weed individuals immediately adjacent to native plantings Additional management techniques can be found in Dock Control Guide (DNRE, 2022d); and DNRE recommended herbicides can be found in Herbicides for Dock Control (DNRE, 2022a).	Twice annually – in autumn during germination period and in winter prior to flowering
Cut-leaf Nightshade (<i>Solanum triflorum</i>)	 (Stajsic, 2018)	Sprawling non-woody plant. The stems and lobed, toothed leaves are sparsely hairy and without spines. The flowers are white to pale purple, often in clusters of three on short stalks, and the fruits are a marbled-green berry. Cut-leaf nightshade flowers in summer, fruiting extends from summer through to autumn and seeds are ripe by early autumn. Germination occurs in autumn and winter. (DNRE, 2022c)	Within Site	Report to Biosecurity Tasmania (03) 6165 3777 Spot spray individuals Hand weed individuals immediately adjacent to native plantings Additional management techniques can be found in Cut-leaf Nightshade Control Guide (DNRE, 2022c) and the Cut-leaf Nightshade Statutory WMP (DPIPWE, 2011); and DNRE recommended herbicides can be found in Herbicides for Cut-leaf Nightshade Control (DNRE, 2019b).	Twice annually – in late autumn/early winter during germination period and in spring prior to flowering
General flat weeds		Cat's Ear (<i>Hypochaeris radicata</i>) Dandelion (<i>Taraxacum</i> spp.) Oxtongue (<i>Picris</i> spp.) etc.	Within Site	Liberal spraying in the southern section of the Site Selective spraying in the northern section of the Site; and Hand weed individuals immediately adjacent to native plantings.	Twice annually – in summer and autumn

Maintenance

Maintenance of the compensatory planting involves carrying out weed management as outlined in the RMP and general attendance to the native plantings including watering. Attention should be given at maintenance to eradicate herbaceous and woody weeds as far as practicable to reduce regrowth and increase success rate of the compensatory planting.

Quarterly site inspections will be undertaken by the landowner to report on adverse conditions, weed growth and native plant losses.

Maintenance visits will be undertaken by the Contractor twice annually. Resource requirements for this work will be determined based on prior inspections to inform the level of work required. Additional maintenance visits resulting from unexpected circumstances and consultation with the Contractor may be arranged at the discretion of the Department.

The maintenance period will be for 10 years starting from 2021 when the first native planting occurred.

Timeline

Management and maintenance measures for the compensatory planting are to be completed as outlined in Table 3.

Table 3 Proposed timeline for weed management and maintenance of the compensatory planting

Activity	Timing	Responsibility
Re-establishment plantings	October 2023	Wildseed
Weed management (refer to the Weed Management Section)	Twice annually for 10 years as outlined in Table 2 or as required by the Department	The Contractor
Maintenance - re-planting losses	As required	The Contractor
Regular inspection and reporting of adverse conditions, weed growth and plant losses	Quarterly	Landowner

Completion Criteria

During revegetation, it is expected that some plantings will not survive. Mortality rate can be influenced by a number of variables including plant quality and environmental conditions. Therefore, at planting stage, the tree species were over-planted at the Site to offset the individuals that would not survive.

Plantation density is normally 625 tree stems/ha and the Site was planted with 400 tree stems, far above natural density. As the Site was purposely over-planted beyond the sustainability of the Site, it is predicted that by the third year, a 30% mortality rate for the native plantings would be acceptable and by the end of the 10 year period, the compensatory planting would be considered successfully completed based on a 50 to 60% mortality rate.

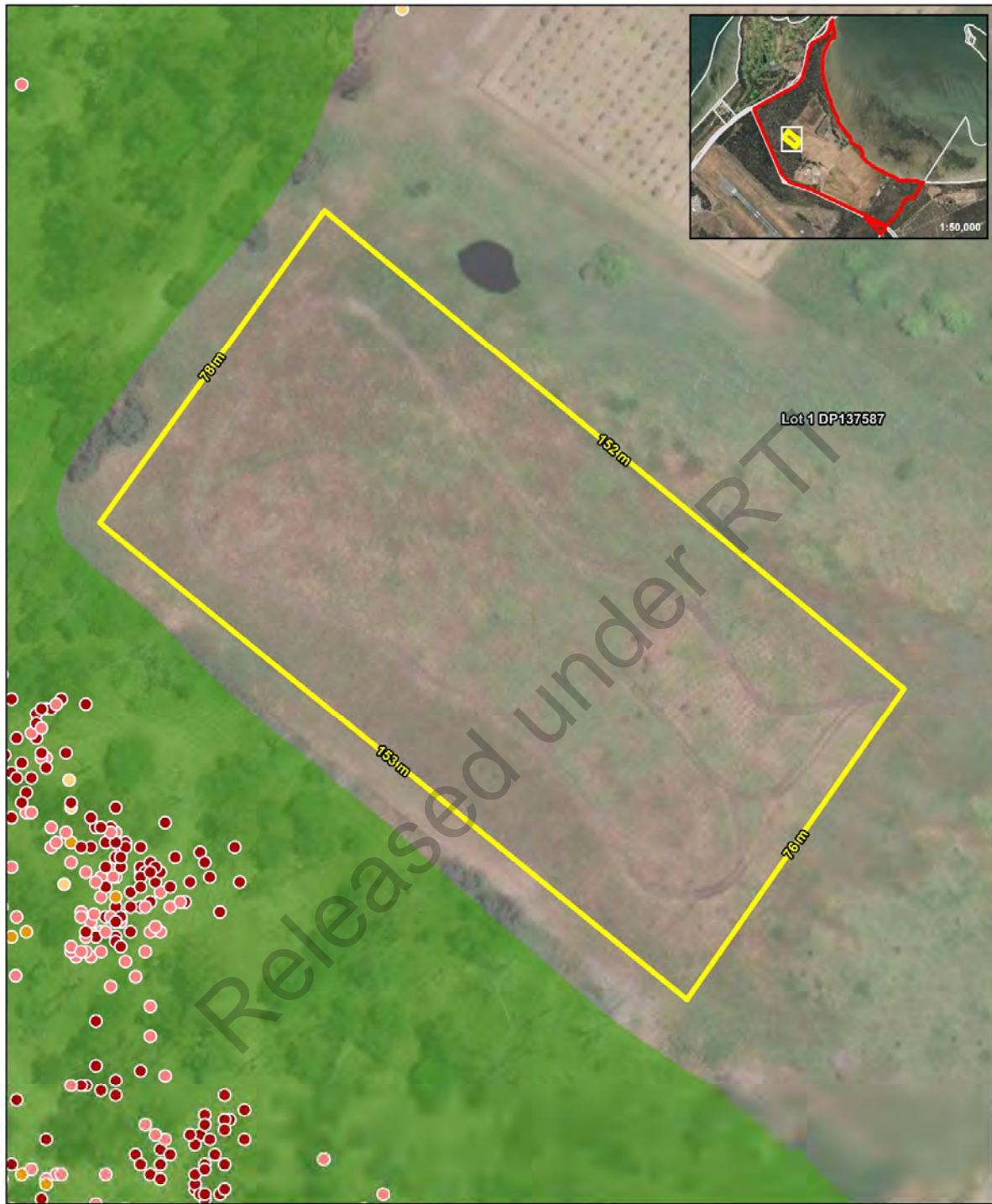
Site Description


The Site is made up of approximately 1 ha of land in the western section of the cleared portion of the Milford property (Lot 1 DP137587) as shown in Figure 2.

The Milford property is approximately 118 ha and is situated between Pittwater Road and the Tasman Highway in Cambridge, TAS within the City of Clarence local government area (LGA). Approximately 50% of the property is cleared for agriculture and commercial landscaping, while the other 50% is made up of remnant vegetation and wetland ecosystems. The property is bordered by the Pitt Water Bluff to the east and is separated from the Hobart International Airport by Pittwater Road to the west (Figure 1).


Within the Milford property and adjacent to the north and west of the Site, is TNVC *Eucalyptus Viminalis* – *Eucalyptus Globulus* Coastal Forest and Woodland while adjacent to the south and east have been cleared for agriculture. The remnant vegetation adjacent to the Site supports three threatened orchid species as outlined in Table 1. The Site itself has historically been cleared and used for agriculture.

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SITE
Milford Compensatory Planting



Coordinate System: GDA2020 MGA Zone 55

MAP REF: P.19.0406
 AUTHOR: S36
 REV: A
 DATE: 13/06/2023
 DATA SOURCES: Aerial imagery from ESRI,
 Data from theLIST, State of TAS,
 Project Specific Data

LEGEND

- Site
- Milford Property
- Cadastral Boundary

Threatened Native Vegetation Communities 2020

- 23: Eucalyptus viminalis - Eucalyptus globulus coastal forest and woodland

Threatened Flora

- Spider-orchid (*Caladenia caudata* x *saggicola*)
- Milford Leek-orchid (*Prasophyllum milfordense*)
- Sagg Spider-orchid (*Caladenia saggicola*)
- Tailed Spider-orchid (*Caladenia caudata*)

Figure 2 Threatened flora species surrounding the Site

Fencing and Site Preparation

Vermin-excluding fencing around the Site was installed in April 2021. The vermin excluding fencing has been positioned five metres (m) from the existing northwest and southwest paddock fences of the Milford property. The fencing includes two 3.6 m wide gates and is offset from the existing paddock fencing to ensure possums are prevented entry into the Site via overhanging shrubbery. Sheep can be grazed in the resulting strips between the Site fences and the paddock fences as a means of maintenance. These strips currently show evidence of reasonably robust native understorey recolonisation.

Prior to native vegetation planting, the Site was de-compacted by sub-surface ripping. Disturbance to the Site was kept to a minimum. Following fence installation and de-compaction, site preparation was limited to spot spraying of proposed planting locations and/or weed outbreaks as required.

Native Planting

Native planting first started in spring 2021, after the fencing and site preparation, with the planting of 200 individual Coastal Manna Gum (*Eucalyptus viminalis* subsp. *pryoriana*). Mass planting of shrub, groundcover and understorey species was delayed until May to August 2022 due to unexpected La Nina climate conditions during 2021 impacting soil and plant growth conditions which affected available tubestock and Site conditions.

The layout of the plantings intentionally avoided the use of straight lines in planting or in bed design to avoid creating a sense of a plantation. All native plants were grown from tubestock from locally sourced genetics. The seeds of Coastal Manna Gum (*Eucalyptus viminalis* subsp. *pryoriana*) were collected from a single tree that was removed from the boundary of Hobart International Airport. Tubestock were planted with water crystals, one 10 gram (g) fertiliser tablet per plant and marked with a hardwood stake.

A full list of native plant species planted since 2021 is provided in Table 4. A schedule of the plantings is provided in Table 5.

Table 4 Native plant species planted on Site since 2021

Scientific Name	Common Name
Trees	
<i>Eucalyptus viminalis</i> subsp. <i>pryoriana</i>	Coastal Manna Gum
Shrubs	
<i>Acacia dealbata</i>	Silver Wattle
<i>Acacia mearnsii</i>	Black Wattle
<i>Acacia verticillata</i>	Prickly Moses
<i>Allocasuarina littoralis</i>	Black Bull Oak
<i>Cassinia aculeata</i>	Dolly Bush
<i>Daviesia sejugata</i>	Disjunct Bitter Pea
<i>Dodonaea viscosa</i>	Native Hop
<i>Indigofera australis</i>	Native Indigo
Ground Covers and Understorey	
<i>Carpobrotus rossii</i>	Pigface
<i>Dianella brevicaulis</i>	Short Stem Flax Lily
<i>Lomandra longifolia</i>	Spiny-head Mat-rush
<i>Poa poiformis</i>	Coastal Tussock

Scientific Name	Common Name
<i>Rhagodia candolleana</i>	Coastal Saltbush
<i>Tetragonia implexicoma</i>	Bower Spinach

Table 5 Completed planting schedule

Activity	Timing	Responsibility
Fencing and site preparation	August 2021	Wildseed
Seed collection and sowing	October 2021	Wildseed
Vegetative propagation	October 2021	Wildseed
Planting of Coastal Manna Gum (<i>Eucalyptus viminalis</i> subsp. <i>pryoriana</i>)	Spring 2021	Wildseed
Planting of shrubs, groundcover and understorey	May to August 2022	Wildseed

In 2021, two manual weeding regimes of the Site were completed after the initial planting of Coastal Manna Gum (*Eucalyptus viminalis* subsp. *pryoriana*). These weeding regimes included removal of seasonally inactive weeds on the Site in preparation for the mass planting in May to August 2022. Since then, although the Coastal Manna Gum (*Eucalyptus viminalis* subsp. *pryoriana*) planting was established, the other native plantings were less successful due to unexpected climate events.

Further, La Nina conditions during 2022 caused a prolonged period of flooding in and around the Site, resulting in losses of planted stock in one corner. The wet weather also greatly promoted the growth of weeds and pasture species which were further aided by the mortality of a couple of thousand Coastal Saltbush (*Rhagodia candolleana*) seedlings during winter frosts.

Therefore, re-establishment as outlined in the Re-establishment Section is proposed.

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Weed Risk

Weeds pose a significant risk to the compensatory planting and the wider environment. Weeds, including pasture species, can outcompete the native plantings and prevent the Site from restoring habitat values which support the three threatened orchid species.

As the Site has historically been cleared and used for agriculture, it is subject to a variety of weeds and pasture species. The lack of native vegetation on the Site prior to the compensatory planting, provided weed species with open space with little resource competition. Weeds on the Site could have been transported by agricultural plants and machinery, vehicles, humans, animals and natural elements from many other locations including other parts of the Milford property.

Legislative Requirements

State

The control and management of weeds in Tasmania is governed by the *Biosecurity Act 2019* (Biosecurity Act) and regulated by the *Biosecurity Regulations 2022* (Biosecurity Reg). The Biosecurity Act and Biosecurity Reg replaced the *Weed Management Act 1999* (WM Act) and the *Weed Management Regulations 2017* which were the previously governed the management of weeds in Tasmania.

Under section 8 of the Biosecurity Act, a weed is defined as a plant that is a pest. Objects of the Biosecurity Act outline that biosecurity is a shared responsibility between government, industry and the community to protect Tasmania from pests, diseases and other biosecurity matters.

The Biosecurity Reg provides the regulatory framework for the Biosecurity Act by aligning the technical requirements under the repealed legislation with the relevant sections of the Biosecurity Act. Under section 29(a) of the Biosecurity Reg, a 'declared pest' includes declared weed species within the meaning of the repealed WM Act that have not been declared prohibited matter. The WM Act included 143 declared weed species.

Statutory weed management plans (WMPs) and Control Guides were prepared under the WM Act for declared weed species. Under section 38(1) of the Biosecurity Reg, these Statutory WMPs are now considered Government biosecurity programs implemented by the Secretary in accordance with section 136 of the Biosecurity Act and as such, are still in force. The Statutory WMPs include restrictions and measures required to control, eradicate or restrict the spread of the declared weed. The Statutory WMPs classifies municipalities into two management zones:

- Zone A – eradication:
 - Municipalities that are either free of the declared weed or are limited to localised small infestations and are deemed to be eradicable. Therefore, the objective is the eradication of infestations; and
- Zone B – containment:
 - Municipalities which host moderate or large infestations of the declared weed that are not deemed eradicable because the feasibility of effective management is low at the time. Therefore, the objective is containment of infestations. This includes preventing spread of the declared weed from the municipality or into properties currently free of the weed or which have developed or are implementing a locally integrated weed management plan for that species. Additionally, there is a

requirement to prevent spread of the weeds to properties containing sites for significant flora, fauna and vegetation communities.

Management of declared weeds should be in accordance with its associated Statutory WMP and incorporate management measures outlined in its associated Control Guide.

A list of non-declared weed species is also available through the Department of Natural Resources and Environment (DNRE). Control Guides have been developed for non-declared weed species and should be taken into account when developing RMPs.

Commonwealth

The 'Australian Weeds Strategy 2017-2027' (AWS) (IPAC, 2016) provides a national framework for addressing weed issues whilst maintaining the profitability and sustainability of Australia's primary industries and reducing the impact of weeds on the environment. The AWS (IPAC, 2016) outlines the roles and responsibilities landholders and land users, government, industry, community and natural resource management bodies have towards national weed management.

The AWS (IPAC, 2016) includes a list of Weeds of National Significance (WoNS) which includes 32 weed species which have been identified based on their invasiveness, potential for spread and environmental, social and economic impacts. WoNs should be managed in accordance with the AWS.

Weeds Identified on Site

Since 2020, at least eight weed species on the Site and on the Milford property have been identified. The weeds present at the Site are also present in the adjacent native remnant vegetation. Of the identified species, Cut-leaf Nightshade (*Solanum triflorum*) is a declared weed under the WM Act and should be managed in accordance with its Statutory WMP. None of the weeds identified are classified WoNs.

Table 6 details the weed species recorded within the Site and on the Milford property.

Table 6 Weed species identified on Site

Scientific Name	Common Name	WoNs	WM Act Status	Statutory WMP / Control Guide	Presence
<i>Arctotheca calendula</i>	Capeweed	-	Non-declared	Control Guide	Within Site
<i>Elytrigia repens</i>	Rope Twitch / English Couch Grass	-	Non-declared	Control Guide	Within Site
<i>Freesia alba</i> x <i>Freesia leichtlinii</i>	Freesia	-	Non-declared	-	Outside Site but within Milford property
<i>Rumex acetosella</i>	Sheep Sorrel / Dock	-	Non-declared	Control Guide	Within
<i>Solanum triflorum</i>	Cut-leaf Nightshade	-	Declared	Statutory WMP and Control Guide	Within
<i>Hypochaeris radicata</i> , <i>Taraxacum</i> spp., <i>Picris</i> spp., etc	General flat weeds including: Cat's Ear, Dandelion and Oxtongue, etc.	-	Non-declared	-	Within

Cut-leaf Nightshade

Cut-leaf Nightshade (*Solanum triflorum*) is native to North America and has become a weed of cultivation and disturbed sites. In Tasmania, Cut-leaf Nightshade can be found in the Seven Mile Beach area and

prefers sunny positions with well drained soils. The weed can be found growing on dunes, recreational areas, along roadsides and in stock yards.

Cut-leaf Nightshade can infest a variety of crops such as potatoes, where it may be difficult to control. All parts of the plant are toxic to mammals. The weed is also a host for the tomato spotted wilt virus.

Positive identification or suspected presence of Cut-leaf Nightshade requires reporting to Biosecurity Tasmania.

Table 7 outlines the Statutory WMP municipality management zone applicable to Cut-leaf Nightshade.

Table 7 Cut-leaf Nightshade municipality management zone (DPIPWE, 2011)

Scientific Name	Common Name	Municipality	Distribution*	Management Measures
<i>Solanum triflorum</i>	Cut-leaf Nightshade	Clarence	Localised infestations*	Implement integrated control program for eradication and prevent future occurrences
<p>+ Distribution refers to naturalised populations of the plant only</p> <p>* Localised infestations: the species is present in the municipality in moderate proportions, with populations numbering several. The number of plants is also moderate and/or populations cover moderate-sized areas.</p>				

Existing Management Measures

Although the presence of vermin excluding fencing would prevent damage to the native plantings from grazing fauna species, it would also prevent grazing of weed species. The weeds located within the native remnant vegetation adjacent to the Site are suppressed by grazing fauna and/or competition. The lack of weed grazing on the Site meant that during the initial establishment period, pasture weed species posed a significant threat to the success rate of the compensatory planting.

The Contractor determined that blanket spraying herbicide on the entire Site would likely result in massive weed regrowth and deposition of weed seeds, hence planting sites were spot sprayed individually in preparation for planting.

Additional management and maintenance measures to further minimise the risk from weeds to the compensatory planting are outlined in the Management and Maintenance Measures Section.

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Department of State Growth

GPO BOX 536

Hobart TAS 7001 Australia

Phone: 1300 135 513

Email: info@stategrowth.tas.gov.au

Web: www.transport.tas.gov.au

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From: s36
To:
Subject: Tasman Highway - Airport Interchange to Midway Point Causeway - September Invoice
Date: Wednesday, 27 September 2023 3:11:26 PM
Attachments: [image001.png](#)
[3100B-6-37 - P.19.0406 - Draft Invoice PIP019884.pdf](#)
[HB19197 September 2023 Report.docx](#)
[September 2023 Forecast.xlsx](#)

Hi

Attached for your approval please find draft invoice report and forecast.

Regards

pitt&sherry

s36

Principal Engineer

Mobile s36 | s36 [@pittsh.com.au](mailto:s36@pittsh.com.au) | [Connect on LinkedIn](#)

Hobart Office — Level 1, Surrey House, 199 Macquarie Street
PO Box 94 Hobart Tasmania 7001 | Phone +61 3 6210 1466

pittsh.com.au

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Pro forma Tax Invoice

Pitt & Sherry (Operations) Pty Ltd

Level 4, 113 Cimitiere Street Tel: 1300 748 874
 LAUNCESTON TAS 7250 Em: info@pittsh.com.au
 AUS ABN: 67140184309

Bill To:**Department of State Growth**

4 Salamanca Place Tel:
 HOBART TAS 7000 Em:
 AUS ABN: 36388980563

Invoice number: PIP019884

Invoice date: 27/09/2023
 Payment terms: 14DAYS
 Due date: 11/10/2023
 Currency: AUD
 Customer reference: 3100B-6-37
 Customer account: C08439

SUMMARY OF CHARGES PAYABLE ON THIS INVOICE**NET AMOUNT**

Professional services for the period to 22 September 2023

P.19.0406.008 - Additional Design Tasks	Time and material	430.00
P.19.0406.013 - SETS Project Management to 31 March 2023	Time and material	1,065.67
P.19.0406.019 - Milford Stakeholder Engagement Support	Time and material	1,985.95
P.19.0406.020 - ADJ9 - Ongoing EPBC Approval Costs	Time and material	1,767.97
P.19.0406.021 - ADJ9-Options to Reduce Impact on Milford	Time and material	1,111.37

Details on next page

PAYABLE ON THIS INVOICE

Currency	Net amount	GST amount	Total
AUD	6,360.96	636.10	6,997.06

Due date : 11/10/2023

out of scope

Remittance advice: accounts@pittsh.com.au

Interest will be charged on overdue accounts

Description	Resource	Quantity	Unit price	Net amount
P.19.0406.008 - Additional Design Tasks				
Expenses / Time & Materials				
Advice - Contour Golf Design Grp				
Subtotal				\$38
Charges for P.19.0406.008		Previous claims		New charges
		3,870.00		430.00

P.19.0406.013 - SETS Project Management to 31 March 2023				
Hours / Time & Materials				
SETS Project Management				
23/08/2023 invoice and report	\$36			
28/08/2023 Project management	\$36			
30/08/2023 project management	\$36			
11/09/2023 Extension to dam permit	\$36			
Subtotal				\$38
Expenses / Time & Materials				
DSG Dam Permit Extension				
Subtotal				
Charges for P.19.0406.013		Previous claims		New charges
		15,334.42		1,065.67

P.19.0406.019 - Milford Stakeholder Engagement Support				
Hours / Time & Materials				
Stakeholder Engagement Support				
06/09/2023 Phone call with \$36	\$36			1,985.95
08/09/2023 Updating of documents and drafting of letter	\$36			
12/09/2023 Revising transcript	\$36			
13/09/2023 Revising transcript and phone call with \$36 re changes to project	\$36			
14/09/2023 Revising transcript	\$36			
15/09/2023 Revising transcript	\$36			
18/09/2023 Forwarding revised meeting transcript to	\$36			
Subtotal				\$38
Charges for P.19.0406.019		Previous claims		New charges
		7,935.70		1,985.95

P.19.0406.020 - ADJ9 - Ongoing EPBC Approval Costs				
Hours / Time & Materials				
Ongoing EPBC Approval Costs				
21/08/2023 update roll plan with new causeway design and new aerial mark ups from \$36 review	\$36			
22/08/2023 mark ups from ross	\$36			
29/08/2023 email, meeting with \$36, update RMP, meeting with \$36	\$36			
06/09/2023 discuss with \$36	\$36			
13/09/2023 update program	\$36			
19/09/2023 Close out dam permit extension	\$36			
Subtotal				\$38
Charges for P.19.0406.020		Previous claims		New charges
		7,935.70		1,767.97

Description	Resource	Quantity	Unit price	Net amount
		Previous claims		New charges
Charges for P.19.0406.020		317.53		1,767.97
P.19.0406.021 - ADJ9-Options to Reduce Impact on Milford				
Hours / Time & Materials				
Options to Reduce Impact on Milford				
21/08/2023	Updating of roll plan for website			
23/08/2023	response on qns from SM			
04/09/2023	Discuss with NB			
08/09/2023	Coordination with causeway work			
15/09/2023	Meeting for s36 coord			
Subtotal				1,111.37
		Previous claims		New charges
Charges for P.19.0406.021		18,603.83		1,111.37

s36

s38

Released under RTI



SETS
**Tasman Highway – Airport Interchange to Midway
 Point Causeway**



Status Report for period ending: September 2023

Job. No.2220-3-128

1 Project Health Chart

	If this box is selected please shade the tick box green.	If this box is selected please shade the tick box yellow.	If this box is selected please shade the tick box red.
Scope Definition	All elements clearly defined and agreed <input type="checkbox"/>	Minor elements loosely defined or potential for additional work <input checked="" type="checkbox"/>	Major elements loosely defined or additional work is occurring <input type="checkbox"/>
Delivery / Timing	On track to meet agreed targets <input type="checkbox"/>	Some minor (non-critical) milestones are at risk <input checked="" type="checkbox"/>	Major (critical) Milestones are endangered <input type="checkbox"/>
Input Information	All input information is available No decisions or approvals req'd <input checked="" type="checkbox"/>	Some non-critical information or decisions are still required <input type="checkbox"/>	Delays due to lack of critical information or decisions <input type="checkbox"/>
Project Changes & Cost	No changes to scope <input checked="" type="checkbox"/>	Moderate changes starting to impact schedule and costs <input type="checkbox"/>	Significant changes with adverse impact on schedule and cost <input type="checkbox"/>

2 Progress

Activities Completed Last Month

Awaiting further engagement with Milford to undertake habitat assessment

Golf Club –Golf Club are preparing a claim for the monthly compensation amount that they are seeking –THIS HAS BEEN EXPECTED FOR OVER 6 MONTHS. PROCESS FOR REVIEWING AND ACCEPTING THIS BY DEPT/OCS/OVG REMAINS UNCLEAR.

Options for realignment

Current & Future Activities Next Month

Resolve Milford offset area and further fieldwork – subject to owner approval and granting access

Respond to Milford issues(extensive) as requested

Discuss possible realignment with Golf Club?

2

3 Critical Risks, Opportunities & Issues

Risk / Issue	Action
Resumption of airport land	Awaiting advice from HIAPL on sublease. Indemnity remains a sticking point if sublease ends without land transfer having occurred. Valuation agreed which will allow Tripartite Deed to proceed. Time to obtain access remains uncertain
Access to Golf Club land	Agreement has been reached on scope of course modifications to enable access to Golf course land. Draft Deed prepared by Simmons Wolfhagen – Payment of compensation on a monthly basis as requested by SW & Golf Club has been agreed in principle by OCS. Time to finalise remains uncertain.

Orchids on Milford property are a controlled action	Best case scenario for Approval is now July 2024. Further submissions from S36 could cause further delays
Community and stakeholders want the 7 Mile Beach – Lewisham connection investigated and this leads to delays	Appears unlikely
Soft foundation/ground improvement north of airport runway	Geotechnical investigation and review. Material now looks ok
Selection of preferred option is delayed because of stakeholder opposition	Option 5 now endorsed
Design input from public utility authorities causes delay to other design activities	Tasnetworks finalised. Taswater has approved watermain relocation design and formal advice has been received.
Development Application appealed resulting in delay to commencement of construction	DA approved and conditions received

4 Outstanding Information

Information requirement	From Who	Date req'd	Urgency (low, medium or Urgent – shade cell accordingly)

5 Awaiting Client Action

Decisions, Approvals and Escalation Items	Date req'd	Urgency (low, medium or Urgent – shade cell accordingly)
Advice on possible realignment		

Released under RTI

Contract 2220-3-128.

Tasman Highway – Airport Interchange to Midway Point Causeway

Monthly Report to 22 September 2023

1. Project Details

Key dates including acceptance of proposal and dates for all deliverables stated in the project brief.

Item	Date At Project Agreement	Anticipated/Actual Date Achieved	Comment
Project Agreement	11 July 2019	11 July 2019	Complete
Feature Survey	27 November 2019	9 December	Complete
Concept Design incl Options Analysis	3 September 2019	22 November	Complete
Environmental Investigation	6 February 2020		EPBC Approval not likely before July 2024
Geotechnical investigation	1 December 2019	20 April 2020	Complete
PPR Submission	31 October 2019	6 December 2019	Complete
PPR Approval	31 December 2019	January 2020	Complete
Preliminary Design	24 March 2020	21 May 2020	Complete
Detailed Design	2 July 2020	28 February 2021	Complete
RFT Documentation	2 July 2020		Amendments to documentation on hold pending final agreement with s36 on scope of works and approved EPBC
Stakeholder Engagement	Ongoing		
Submission of Development Application	18 March 2020	2 April 2021	Approved 08/09/2021 with commencement required within 2 years
PSCPW Report and Hearing (3-month notice required)	21 April 2020	30 April 2021	Project approved by PSCPW
EPBC Approval		July 2024	BEST GUESS ONLY AS FINALISATION DATE OUTSIDE THE CONTROL OF PITT & SHERRY
Golf Course Agreement		October 2023	BEST GUESS ONLY AS

Item	Date At Project Agreement	Anticipated/Actual Date Achieved	Comment
			FINALISATION DATE OUTSIDE THE CONTROL OF PITT & SHERRY
Airport land acquisition		October 2023	BEST GUESS ONLY AS FINALISATION DATE OUTSIDE THE CONTROL OF PITT & SHERRY
Call tenders	To be confirmed		To be confirmed (subject to approvals) -July 2024 may be possible

2. Progress

Detailed design completed. Outstanding items to be resolved/completed before highway tenders can be called

- i. EPBC approval
- ii. Licence for works to be carried out on the Golf course
- iii. Commonwealth land - lease then agreement for purchase
- iv. Additional items including Milford access, drawing changes resulting from extension of underground power to Pittwater Road and other changes due to the passage of time between completion of final design and calling tenders

3. Risk Assessment, Opportunities and Issues

Key risk/issue are now

- i. Acquisition of Commonwealth land – Lease and purchase to be progressed simultaneously – timeframe remains uncertain. Agreed value being negotiated by respective parties. Tripartite sublease back with HIAPL – HIAPL requirement to reinstate the lease site remains to be negotiated and agreed. Clause has no meaning as the highway construction is effectively irreversible
- ii. EPBC referral time.
- iii. Co-ordination of designs and interface with Airport Interchange

4. Stakeholder Engagement Issues

Golf club – discussions at project level on hold.

s36 – Agreement with s36 on Offset area, Orchid Management Plan and associated entry by DSG to implement the plan

Airport accept resumption of land west of Pittwater Road, subject to HIAPL Board approval and Commonwealth approval. Discussions ongoing with key airport personnel. Latest advice received from Dept. of Infrastructure outlining a 3 stage process to ultimately put the land into State ownership.

5. Service Authorities / Utilities

Taswater – 375 mm watermain to Sorell. Design completed for relocation of 400 metres of main ch 1370 – 1825 and associated road crossings. Design fully approved.

Telstra – multiple services including Fibre Optic cable in Tasman Highway corridor – preliminary design received

Tasnetworks – HV, LV, streetlighting. Tasnetworks design finalised

6. Financial

a. Project Costs

ITEM	COST EST	COST EST	COMMENT
	P50	P90	
Outturn Cost – indicative only	\$30.3 M	\$32.9 M	

b. Design Fee Cash Flow

Month Year	Forecast Expenditure	Actual Expenditure	Forecast Cum	Actual Cum
Jul-19				
Aug-19				
Sep-19				
Oct-19				
Nov-19				
Dec-19				
Jan-20				
Feb-20				
Mar-20				
Apr-20				
May-20				
Jun-20				
Jul-20				
Aug-20				
Sep-20				

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S38

Oct-20	
Nov-20	
Dec-20	
Jan-21	
Feb-21	
Mar 21	
Apr 21	
May 21	
Jun 21	
Jul 21	
Aug 21	
Sep 21	
Oct 21	
Nov 21	
Dec 21	
Jan 22	
Feb 22	
Mar 22	
Apr 2022	
May 2022	
June 2022	
July 2022	
August 2022	
September 2022	
October 2022	
November 2022	
December 2022	
January 2023	
February 2023	

March 2023	
April 2023	
May 2023	
June 2023	
July 2023	
August 2023	
September 2023	
October 2023	
November 2023	
December 2023	
January 2024	
February 2024	
March 2024	
April 2024	
May 2024	
June 2024	
2024/25	
2025/26	



7. Additional Information (as required)

N/A

S38

From: s36
To:
Subject: Tasman Highway - Airport Interchange to Midway Point Causeway - August Invoice
Date: Wednesday, 23 August 2023 12:07:28 PM
Attachments: [image001.png](#)
[3100B-6-37 - P.19_0406 - DRAFT PIP019085.pdf](#)
[HB19197 August 2023 Report.docx](#)
[August 2023 Forecast - Copy.xlsx](#)

Hi

Attached please find August invoice, report and forecast for approval.

Regards

pitt&sherry

s36

Principal Engineer

Mobile s36 | s36 @pittsh.com.au | [Connect on LinkedIn](#)

Hobart Office — Level 1, Surrey House, 199 Macquarie Street
PO Box 94 Hobart Tasmania 7001 | Phone +61 3 6210 1466

pittsh.com.au

Released under RTI



Pro forma Tax Invoice

Pitt & Sherry (Operations) Pty Ltd

Level 4, 113 Cimitiere Street Tel: 1300 748 874
 LAUNCESTON TAS 7250 Em: info@pittsh.com.au
 AUS ABN: 67140184309

Bill To:**Department of State Growth**

4 Salamanca Place Tel:
 HOBART TAS 7000 Em:
 AUS ABN: 36388980563

Invoice number: PIP019085

Invoice date: 21/08/2023
 Payment terms: 14DAYS
 Due date: 04/09/2023
 Currency: AUD
 Customer reference: 3100B-6-37
 Customer account: C08439

SUMMARY OF CHARGES PAYABLE ON THIS INVOICE**NET AMOUNT**

Professional services to 18 August 2023

P.19.0406.008 - Additional Design Tasks	Time and material	1,290.00
P.19.0406.013 - SETS Project Management to 31 March 2023	Time and material	1,716.83
P.19.0406.014 - EPBC - Additional Review and Documentation	Time and material	2,723.26
P.19.0406.019 - Milford Stakeholder Engagement Support	Time and material	1,646.88
P.19.0406.020 - ADJ9 - Ongoing EPBC Approval Costs	Time and material	317.53
P.19.0406.021 - ADJ9-Options to Reduce Impact on Milford	Time and material	18,603.83

Details on next page

PAYABLE ON THIS INVOICE

Currency	Net amount	GST amount	Total
AUD	26,298.33	2,629.83	28,928.16

Due date : 04/09/2023

Please send remittance via EFT or Direct Debit to:

out of scope

Remittance advice: accounts@pittsh.com.au

Interest will be charged on overdue accounts

Description	Resource	Quantity	Unit price	Net amount
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P.19.0406.008 - Additional Design Tasks

Expenses / Time & Materials

Specialist advice contour golf (specification, timing , general advice)" _____

s38

Subtotal

Charges for P.19.0406.008	Previous claims	New charges
	2,580.00	1,290.00

P.19.0406.013 - SETS Project Management to 31 March 2023

Hours / Time & Materials

SETS Project Management

- 21/07/2023 Project Management
- 24/07/2023 Change order for ongoing EPBC
- 25/07/2023 Project mgt
- 26/07/2023 Invoice & report
- 02/08/2023 PM & Update with SM
- 17/08/2023 Title download - 152454/1 (Hobart Airport)
- 17/08/2023 Cwealth enquiry
- 18/08/2023 Curtain acquisition

s36

s38

Subtotal

Charges for P.19.0406.013	Previous claims	New charges
	13,617.59	1,716.83

P.19.0406.014 - EPBC - Additional Review and Documentation

Hours / Time & Materials

EPBC Additional Review and Documentation

- 17/07/2023 WMP update, emails
- 20/07/2023 Discussions and email to **s36**
- 24/07/2023 Format report Rev01
- 24/07/2023 updating RMP, emails
- 24/07/2023 Review weed mgt plan
- 10/08/2023 updating referral/ensuring all information is stored and saved in folders
- 14/08/2023 emails, timesheet
- 16/08/2023 updating preliminary documentation

s36

s38

Subtotal

Charges for P.19.0406.014	Previous claims	New charges
	60,504.33	2,723.26

P.19.0406.019 - Milford Stakeholder Engagement Support

Hours / Time & Materials

Stakeholder Engagement Support

- 18/07/2023 Transcribing meeting minutes via Microsoft Word and reviewing comments in **s36** document
- 27/07/2023 Emailing transcription of meeting to client
- 28/07/2023 Finalising entry process for PD review
- 04/08/2023 Updating process and transcribing meeting
- 11/08/2023 Phone call with _____, emailing documents and setting up appointment to discuss next steps
- 15/08/2023 Meeting with **s36**

s36

s38

Subtotal

Description	Resource	Quantity	Unit price	Net amount
		Previous claims		New charges
Charges for P.19.0406.019		6,288.82		1,646.88

P.19.0406.020 - ADJ9 - Ongoing EPBC Approval Costs

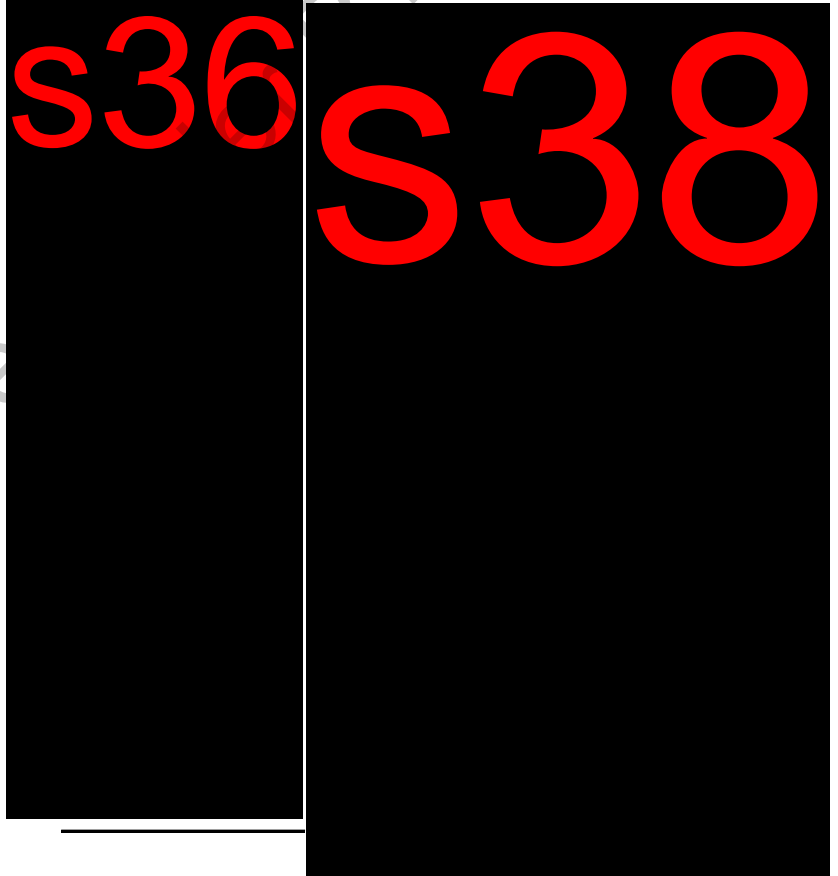
Hours / Time & Materials				
Ongoing EPBC Approval Costs				
09/08/2023	Timeframe & review			
Subtotal				



		Previous claims		New charges
Charges for P.19.0406.020				317.53

P.19.0406.021 - ADJ9-Options to Reduce Impact on Milford

Hours / Time & Materials				
Options to Reduce Impact on Milford				
24/07/2023	prepare change order			
26/07/2023	Project Admin			
26/07/2023	Brief to JP			
26/07/2023	Initial set-up, kick-off and investigation			
27/07/2023	2D investigation			
28/07/2023	2D investigation			
28/07/2023	Design assistance			
31/07/2023	Review 2D with JT			
31/07/2023	2D Investigation			
01/08/2023	3D existing Model review			
02/08/2023	3D Model Main corridor started			
03/08/2023	3D Model Main corridor continued			
04/08/2023	3D Model Main corridor continued, Service ro started			
07/08/2023	Access road 1 orientation and set-up			
08/08/2023	Access road control strings assignment			
09/08/2023	Drainage for access roads			
10/08/2023	Drainage access and main road			
11/08/2023	Design advice			
11/08/2023	Drainage final check, model combined and discussion with Dave over results.			
14/08/2023	Review with JT			
14/08/2023	Outputs			
15/08/2023	Drafting updates			
16/08/2023	Report			
17/08/2023	Discuss with BD			
Subtotal				



		Previous claims		New charges
Charges for P.19.0406.021		-		18,603.83



SETS
**Tasman Highway – Airport Interchange to Midway
 Point Causeway**



Status Report for period ending: August 2023

Job. No.2220-3-128

1 Project Health Chart

	If this box is selected please shade the tick box green.	If this box is selected please shade the tick box yellow.	If this box is selected please shade the tick box red.
Scope Definition	All elements clearly defined and agreed <input type="checkbox"/>	Minor elements loosely defined or potential for additional work <input checked="" type="checkbox"/>	Major elements loosely defined or additional work is occurring <input type="checkbox"/>
Delivery / Timing	On track to meet agreed targets <input type="checkbox"/>	Some minor (non-critical) milestones are at risk <input checked="" type="checkbox"/>	Major (critical) Milestones are endangered <input type="checkbox"/>
Input Information	All input information is available No decisions or approvals req'd <input checked="" type="checkbox"/>	Some non-critical information or decisions are still required <input type="checkbox"/>	Delays due to lack of critical information or decisions <input type="checkbox"/>
Project Changes & Cost	No changes to scope <input checked="" type="checkbox"/>	Moderate changes starting to impact schedule and costs <input type="checkbox"/>	Significant changes with adverse impact on schedule and cost <input type="checkbox"/>

2 Progress

Activities Completed Last Month

Ongoing discussion about habitat assessment and offset area on Milford

Golf Club –Golf Club are preparing a claim for the monthly compensation amount that they are seeking –THIS HAS BEEN EXPECTED FOR OVER 5 MONTHS. PROCESS FOR REVIEWING AND ACCEPTING THIS BY DEPT/OCS/OVG REMAINS UNCLEAR.

Options for realignment

Current & Future Activities Next Month

Resolve Milford offset area and further fieldwork – subject to owner approval and granting access

Respond to Milford issues(extensive) as requested

Discuss possible realignment with Golf Club?

2

3 Critical Risks, Opportunities & Issues

Risk / Issue	Action
Resumption of airport land	Awaiting advice from HIAPL on sublease. Indemnity remains a sticking point if sublease ends without land transfer having occurred. Valuation agreed which will allow Tripartite Deed to proceed. Time to obtain access remains uncertain
Access to Golf Club land	Agreement has been reached on scope of course modifications to enable access to Golf course land. Draft Deed prepared by Simmons Wolfhagen – Payment of compensation on a monthly basis as requested by SW & Golf Club has been agreed in principle by OCS. Time to finalise remains uncertain.

Orchids on Milford property are a controlled action	Best case scenario for Approval is now July 2024. Further submissions from S36 could cause further delays
Community and stakeholders want the 7 Mile Beach – Lewisham connection investigated and this leads to delays	Appears unlikely
Soft foundation/ground improvement north of airport runway	Geotechnical investigation and review. Material now looks ok
Selection of preferred option is delayed because of stakeholder opposition	Option 5 now endorsed
Design input from public utility authorities causes delay to other design activities	Tasnetworks finalised. Taswater has approved watermain relocation design and formal advice has been received.
Development Application appealed resulting in delay to commencement of construction	DA approved and conditions received

4 Outstanding Information

Information requirement	From Who	Date req'd	Urgency (low, medium or Urgent – shade cell accordingly)

5 Awaiting Client Action

Decisions, Approvals and Escalation Items	Date req'd	Urgency (low, medium or Urgent – shade cell accordingly)
Advice on possible realignment		

Contract 2220-3-128.

Tasman Highway – Airport Interchange to Midway Point Causeway

Monthly Report to 18 August 2023

1. Project Details

Key dates including acceptance of proposal and dates for all deliverables stated in the project brief.

Item	Date At Project Agreement	Anticipated/Actual Date Achieved	Comment
Project Agreement	11 July 2019	11 July 2019	Complete
Feature Survey	27 November 2019	9 December	Complete
Concept Design incl Options Analysis	3 September 2019	22 November	Complete
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Detailed Design	2 July 2020	28 February 2021	Complete
RFT Documentation	2 July 2020		Amendments to documentation on hold pending final agreement with s36 on scope of works and approved EPBC
Stakeholder Engagement	Ongoing		
Submission of Development Application	18 March 2020	2 April 2021	Approved 08/09/2021 with commencement required within 2 years
PSCPW Report and Hearing (3-month notice required)	21 April 2020	30 April 2021	Project approved by PSCPW
EPBC Approval		July 2024	BEST GUESS ONLY AS FINALISATION DATE OUTSIDE THE CONTROL OF PITT & SHERRY
Golf Course Agreement		October 2023	BEST GUESS ONLY AS

Item	Date At Project Agreement	Anticipated/Actual Date Achieved	Comment
			FINALISATION DATE OUTSIDE THE CONTROL OF PITT & SHERRY
Airport land acquisition		October 2023	BEST GUESS ONLY AS FINALISATION DATE OUTSIDE THE CONTROL OF PITT & SHERRY
Call tenders	To be confirmed		To be confirmed (subject to approvals) -May 2024 MAY BE POSSIBLE

2. Progress

Detailed design completed. Outstanding items to be resolved/completed before highway tenders can be called

- i. EPBC approval
- ii. Licence for works to be carried out on the Golf course
- iii. Commonwealth land - lease then agreement for purchase
- iv. Additional items including Milford access, drawing changes resulting from extension of underground power to Pittwater Road and other changes due to the passage of time between completion of final design and calling tenders

3. Risk Assessment, Opportunities and Issues

Key risk/issue are now

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- ii. EPBC referral time.
- iii. Co-ordination of designs and interface with Airport Interchange

4. Stakeholder Engagement Issues

Golf club – discussions at project level on hold.

s36 – Agreement with s36 on Offset area, Orchid Management Plan and associated entry by DSG to implement the plan

Airport accept resumption of land west of Pittwater Road, subject to HIAPL Board approval and Commonwealth approval. Discussions ongoing with key airport personnel. Latest advice received from Dept. of Infrastructure outlining a 3 stage process to ultimately put the land into State ownership.

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Telstra – multiple services including Fibre Optic cable in Tasman Highway corridor – preliminary design received

Tasnetworks – HV, LV, streetlighting. Tasnetworks design finalised

6. Financial

a. Project Costs

ITEM	COST EST	COST EST	COMMENT
	P50	P90	
Outturn Cost – indicative only	\$30.3 M	\$32.9 M	

b. Design Fee Cash Flow

Month Year	Forecast Expenditure	Actual Expenditure	Forecast Cum	Actual Cum
Jul-19				
Aug-19				
Sep-19				
Oct-19				
Nov-19				
Dec-19				
Jan-20				
Feb-20				
Mar-20				
Apr-20				
May-20				
Jun-20				
Jul-20				
Aug-20				
Sep-20				

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Oct-20	
Nov-20	
Dec-20	
Jan-21	
Feb-21	
Mar 21	
Apr 21	
May 21	
Jun 21	
Jul 21	
Aug 21	
Sep 21	
Oct 21	
Nov 21	
Dec 21	
Jan 22	
Feb 22	
Mar 22	
Apr 2022	
May 2022	
June 2022	
July 2022	
August 2022	
September 2022	
October 2022	
November 2022	
December 2022	
January 2023	
February 2023	

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March 2023	
April 2023	
May 2023	
June 2023	
July 2023	
August 2023	
September 2023	
October 2023	
November 2023	
December 2023	
January 2024	
February 2024	
March 2024	
April 2024	
May 2024	
June 2024	
2024/25	
2025/26	

S38

7. Additional Information (as required)

N/A



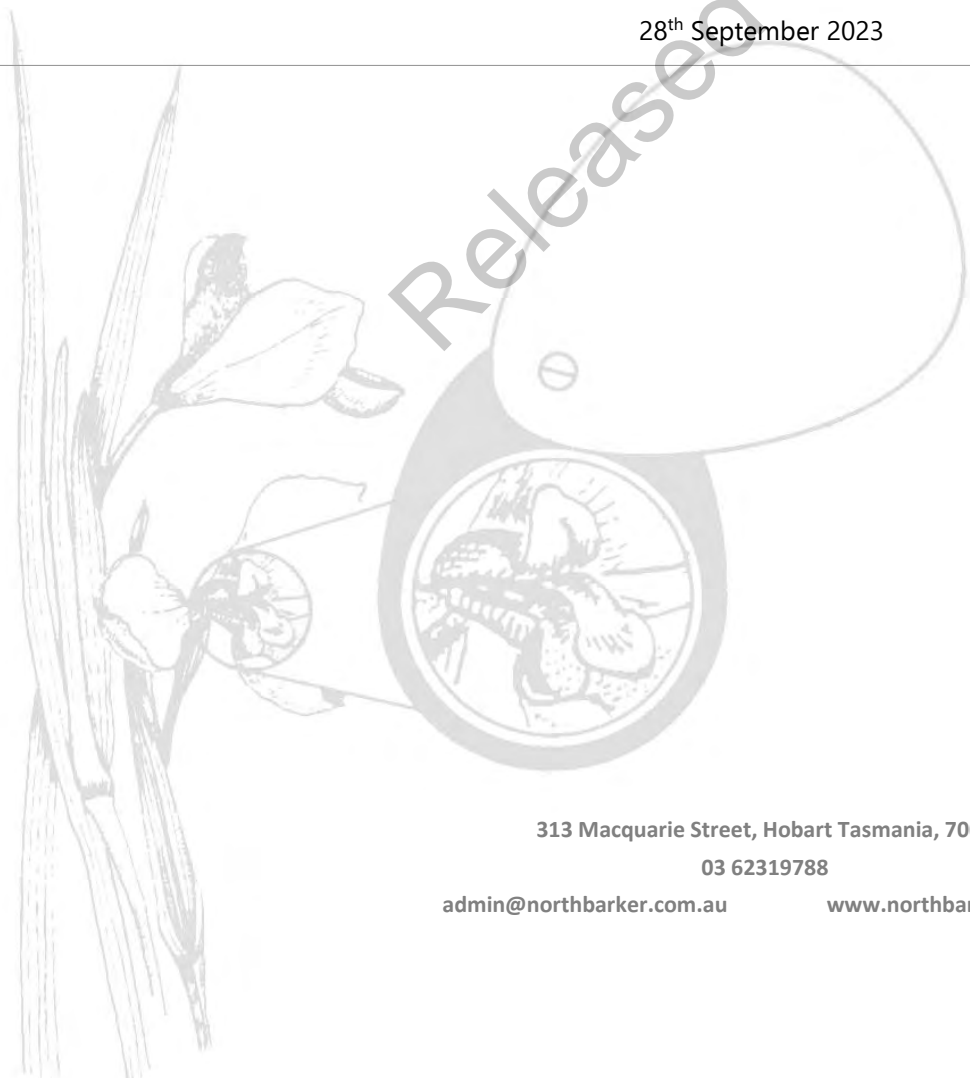
Tasman Highway Road
Southeast Tasmania Transport Solution (SETS)
Tasmania Golf Club

Natural Values Assessment Summary

For Pitt & Sherry obo Department of State Growth
PAS150

28th September 2023

Released under RTI



313 Macquarie Street, Hobart Tasmania, 7000

03 62319788

admin@northbarker.com.au

www.northbarker.com.au

Client contact: s36, Pitt & Sherry

Contributors:

Project Management: s36

Field Assessment: s36 (18th of September)

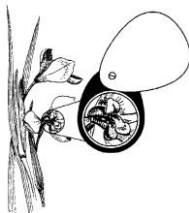
Mapping: s36

Photos: s36

File Control

Version	Date	Author	Comment
Version 0.1	20/09/2023	s36	Draft 0.1
V 1.0	28/9/2023	s36	Review

Released under RTI



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Executive summary

The Department of State Growth (DSG) is investigating options for duplicating the Tasman Highway between Hobart Airport Interchange and Pitt Water Bluff, as part of the Southeast Tasmania Traffic Solutions Project (SETS). Road widening will require the acquisition of land at Tasmania Golf Course immediately adjacent to the Tasman Highway.

To assist with planning and to determine potential impacts to natural values, North Barker Ecosystem Solutions undertook a natural values assessment of the study area on the 18th of September 2023, specifically to map threatened fauna habitat and to survey for threatened flora species known within the area.

Vegetation throughout the study area comprises *Eucalyptus viminalis* – *E. globulus* coastal forest and woodland (DVC) with modified land occurring on the golf fairways and access tracks. The DVC community is dominated exclusively by *E. viminalis* (white gum) and is in good ecological condition with minor degradation associated with development and uptake of the golf course. DVC is listed as a threatened vegetation community under the *Nature Conservation Act 2022* (NCA).

Mature white gum trees offer potential habitat for the Tasmanian masked owl (*Tyto novaehollandiae* subsp. *castanops*) that is listed under both the *Tasmanian species Protection Act 1999* (TSPA) and *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA). These trees also offer suitable breeding habitat for other threatened woodland birds including the blue-winged parrot (*Neophema chrysostoma* (EPBCA vulnerable)) and the swift parrot (*Lathamus discolor* (TSPA endangered, EPBCA critically endangered)).

Twenty-six (26) significant potential habitat trees (>70 cm DBH) were recorded within the study area and an additional two trees have 10 % or more of their tree protection zone (TPZ) overlapping with the study area and are at risk of impact. This includes sixteen (16) trees large enough for masked owl habitat and a further two (2) with their TPZ encroached > 10%.

Five (5) additional trees are at risk of impact compared to the previous 2020 study area design.

No threatened flora species was observed during field surveys of the study area. No plants were recorded of *Caladenia caudata* (TSPA vulnerable, EPBCA vulnerable) even though the survey aligned with its typical flowering period. Even though the survey timing may have been early for the peak flowering of *Caladenia saggicola* (TSPA endangered, EPBCA critically endangered) that is known from the Milford property across the highway, no leaves of any spider orchids such as *C saggicola* were observed.

The study area contains various environmental weeds, although no declared weeds listed under the *Biosecurity Act 2019* (BSA) were observed.



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1 Introduction

1.1 Background

The Department of State Growth (DSG) is investigating options for duplicating the Tasman Highway between Hobart Airport Interchange and Pitt Water Bluff, which forms one stage in the Southeast Tasmania Traffic Solutions Project (SETS). SETS aims to help maintain the liveability of Sorell and the southern beaches by improving travel time reliability and safety through a more efficient and safer road network.

Road widening will require the acquisition of land at Tasmania Golf Course immediately adjacent to the Tasman Highway. North Barker Ecosystem Services (NBES) previously completed a natural values assessment of the golf course in June 2021:

- *Tasman Highway Road, South-East Tasmania Transport Solution (SETS) Tasmania Golf Club, Natural Values Assessment. North Barker Ecosystem services 11 June 2021.*

Since this report, a redesign of a section of the alignment would affect the acquisition area. To assist with planning and to determine potential impacts to natural values, NBES have been engaged to undertake a flora and fauna habitat assessment. The assessment was primarily concerned with mapping significant fauna habitat trees within the site to a high accuracy and to undertake threatened flora spring surveys.

1.2 Aim

The purpose of this field survey summary report is to:

1. Communicate the natural values present within the site following surveys undertaken on the 18th of September 2023.

1.3 Study area

The study area (the site) includes a portion of the Tasmania Golf Course that incorporates the 16th and 17th fairways and surrounding vegetation immediately north of the Tasman Highway.

The geology of the area is modelled as dominantly quartz sandstone to the east and undifferentiated quaternary sediments to the west of the study area¹. The sites elevation varies from approximately 10-20 m asl and the mean annual rainfall for the region is 495 mm².

The study area and proposed track corridor is depicted in Figure 1 below.

¹ Department of Natural Resources and Environment (2023)

² Bureau of Meteorology (2023)





Figure 1. Study area location.

2 Methods

The study area was surveyed by two ecologists on the 18th of September 2023 and was undertaken in accordance with the *Guidelines for Natural Values Surveys- Terrestrial Development Proposals*³.

Vegetation communities were mapped in accordance with the units defined in TASVEG 4.0⁴. The site was mapped using a Timed Meander Search Procedure⁵. Vascular plants were recorded in accordance with the current census of Tasmanian plants⁶. Particular attention was paid to habitat suitable for threatened species listed under the Tasmanian *Threatened Species Protection Act 1995* (TSPA) and/or the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBCA) and to 'declared' weeds under the Tasmanian *Biosecurity Act 2019* (BSA).

The study area was searched for the presence, habitat and signs (for example scats, tracks, hollows, nests) of threatened fauna concurrently with botanical surveys. These include any large trees (above 70

³ Department of Natural Resources and Environment (2019)

⁴ Kitchener and Harris (2013)

⁵ Goff et al. (1982)

⁶ de Salas and Baker (2023)

cm diameter at breast height (DBH)) within the study area. All trees greater than 70 cm DBH were recorded using a differential GPS (DGPS) to an accuracy of at least 0.07 m or greater. All spatial data including vegetation, flora species, habitat trees and weeds is collated and provided in digital format.

Suitable habitat trees for Tasmanian masked owl⁷ are considered to be large trees with the potential to develop hollows with entrances > 15 cm. Suitable hollows are considered to be most likely in trees with trunk diameter > 100 cm in dry forest.

Previous studies within the area including NBES reports for SETS were referred to⁸.

2.1 Limitations

Due to seasonal variations in detectability and identification, there may be some species that have been overlooked or were seasonally absent during our surveys. The potential for this is considered where relevant in the discussion. The survey timing was deliberate, aligning with the week following a scheduled Threatened Plants Tasmania (TPT) field outing to the Milford property adjacent to the golf course. The aim of this outing was to identify *Caladenia saggicola* (TSPA endangered, EPBCA critically endangered). At the time of our survey, NBES was not aware of the postponement of the TPT trip, which was made due to the scant evidence of plants that was noted in the site reconnaissance undertaken in the week prior. TPT have since rescheduled their trip to the 8th of October. The recent dry winter may have resulted in poor flowering, increasing the likelihood that plants are overlooked.

The quality of fauna habitat, including the presence of tree hollows, was assessed from ground level only. Previous tree data, including the results of tree climb surveys were carried over from previous NBES natural values assessment where tree locations coincided.

3 Results – Biological Values

3.1 Vegetation

The following native vegetation communities were recorded in the study area:

- *Eucalyptus viminalis*- *E. globulus* coastal forest and woodland (DVC)- 1.31 ha

DVC across the study area is described below. The remainder of the study area comprises the golf course fairway and access tracks and is mapped as the modified land community Extra-urban miscellaneous (FUM). The mapped distribution of vegetation communities within the study area is presented in Figure 2. A list of all flora species recorded is provided in Appendix A.

***Eucalyptus viminalis* – *E. globulus* coastal forest and woodland (DVC)**

This native forest community encompasses the majority of the study area covering approximately 1.31 ha. The community is dominated exclusively by *Eucalyptus viminalis* (white gum) that reach heights up to 30 m tall and is consistent with much of the native vegetation of the local surrounding areas including other areas on the golf course, airport land and the nearby Milford property. This woodland has been subject to some clearance and degradation associated with the development and uptake of the adjacent golfing fairway. Overall, this DVC community is in good ecological condition.

The DVC community comprises a mature overstorey of *E. viminalis* including many large trees exceeding 100 cm DBH. Several large trees recorded within this vegetation community were observed to have potential for hollows that could support threatened fauna habitat and are described in Section 3.3 of this report, refer to Appendix B for summary of trees surveyed.

The understorey is characterised by a mixture of trees and tall shrubs including *Acacia mearnsii*, *Acacia melanoxylon*, *Allocasuarina verticillata*, *Exocarpos cupressiformis* and *Dodonaea viscosa* subsp.

⁷ Forest Practices Authority (2014)

⁸ North Barker Ecosystem Services (2021)



spatulata. Smaller shrubs are present such as *Cassinia aculeata* subsp. *aculeata*, *Daviesia sejugata* and *Rhagodia candolleana* subsp. *candolleana* as well as sedges and grasses including *Lepidosperma concavum*, *Lomandra longifolia*, *Poa labillardierei*, *Themeda triandra* and *Microlaena stipoides*. *Pteridium esculentum* subsp. *esculentum* is dominant on the ground layer and common herbs include *Dichondra repens* and *Einadia nutans* subsp. *nutans*.

Eucalyptus viminalis – *E. globulus* coastal forest and woodland is listed as threatened under the Tasmanian *Nature Conservation Act 2002* (NCA). There are only 3400 ha of DVC in Tasmania, 1600 ha in the SE Bioregion and 200 ha in Clarence, of which only 40 ha is secured in reserves⁹.



Plate 1. DVC west of the Tasman Highway.

3.2 Threatened Flora

No threatened flora species was observed during field surveys of the study area. Threatened orchids including *Caladenia caudata* (TSPA vulnerable, EPBCA vulnerable), *Caladenia saggicola* (TSPA endangered, EPBCA critically endangered) and *Prasophyllum milfordense* (TSPA endangered, EPBCA critically endangered) have all been recorded at the adjacent Milford property.

No plants were recorded of *Caladenia caudata* (TSPA vulnerable, EPBCA vulnerable) even though the survey aligned with its typical flowering period. The surveys timing may have potentially been early for the peak flowering of *Caladenia saggicola* (TSPA endangered, EPBCA critically endangered) that is known from the Milford property across the highway. However, no leaves of any spider orchids such as *C saggicola* were observed.

The flowering period of *Prasophyllum milfordense* is later (November to December). There is nothing to suggest much likelihood of its occurrence, although a targeted survey would be necessary for any certainty.

⁹ TASVEG_3_0_areaBYvegcode_June 2014. (spreadsheet provided by DPIPW)

3.3 Threatened Fauna and Threatened Fauna Habitat

Field surveys of the study area identified potential threatened fauna habitat, primarily large white gum trees offer potential habitat for the following threatened woodland bird species:

Tasmanian masked owl (*Tyto novaehollandiae* subsp. *castanops*)

Tasmanian masked owl (*Tyto novaehollandiae* subsp. *castanops* (TSPA endangered, EPBCA vulnerable)) has been observed at the adjacent Milford property and across the broader landscape¹⁰. The Forest Practices Authority (FPA) technical note for identifying masked owl habitat considers any tree with a large hollow (> 15 cm diameter) as potential habitat. Trees with a DBH > 100 cm are considered to have the greatest likelihood to support hollows within the size ranged favoured by masked owls¹¹.

During the surveys, trees were assessed from the ground and conditions of their potential to provide habitat noted. Twenty-one trees that either exceeded 100 cm DBH or contained visible hollows suitable for masked owl nesting were recorded and are detailed in Appendix B. Trees that were recorded in the same location as ones climbed in 2019 during an arborist assessment were assumed to be the same tree and comments on the presence of hollows have been included in Appendix B.

Blue-winged parrot (*Neophema chrysostoma*)

The white-gums contained within the study area offer potential nesting habitat for the blue-winged parrot (*Neophema chrysostoma* (EPBCA vulnerable)). The blue-winged parrot migrates to and from Tasmania after breeding each year, leaving in March to April and returning in August to October. Blue-winged parrots nest in tree hollows, preferably with a vertical opening¹². It is considered likely that the DVC bushland across the golf course and adjacent Milford property provides potential habitat for the blue-winged parrot.

During field surveys, several parrots (species unidentified) were observed flying out of a tree hollow of a mature white gum north of the study area. In total, 37 trees with a DBH > 70 cm are located within or in close proximity to the study area and are of a sufficient size to contain tree hollows suitable to support blue-winged parrot.

Swift parrot (*Lathamus discolor*)

The study area is within the potential breeding range of the swift parrot (*Lathamus discolor* (TSPA endangered, EPBCA critically endangered)). The study area is not within a delineated swift parrot important breeding area (SPIBA), but it is close to both the Wielangta and Meehan Range SPIBAs.

Similar to the blue-winged parrot, the mature white gums located in the DVC community at the golf course offer tree hollows that could support swift parrot breeding. However, considering the higher quality nearby and the absence of local patches of *Eucalyptus globulus* and *E. ovata*, which are the primary foraging resources for the swift parrot, it is considered unlikely that swift parrots would choose to utilise the habitat within the study area for breeding.

Although the study area may provide habitat as part of a home range of other threatened vertebrate fauna, there are no site-specific features that are of importance for these species.

¹⁰ Department of Natural Resources and Environment (2023)

¹¹ Forest Practices Authority (2014)

¹² Birdlife Australia (2023)





Plate 2. Mature white gum (*Eucalyptus viminalis*).

3.4 Weeds

Vegetation within the study area is good condition with no declared weeds listed under the *Biosecurity Act 2019* recorded during field surveys. However, several environmental weeds were recorded in the study area including Monterey pine (*Pinus radiata*), Cape Leeuwin wattle (*Peraseriathes lophantha*), cocksfoot (*Dactylis glomerata*), quaking grass (*Briza maxima*) and red sorrel (*Acetosella vulgaris*).

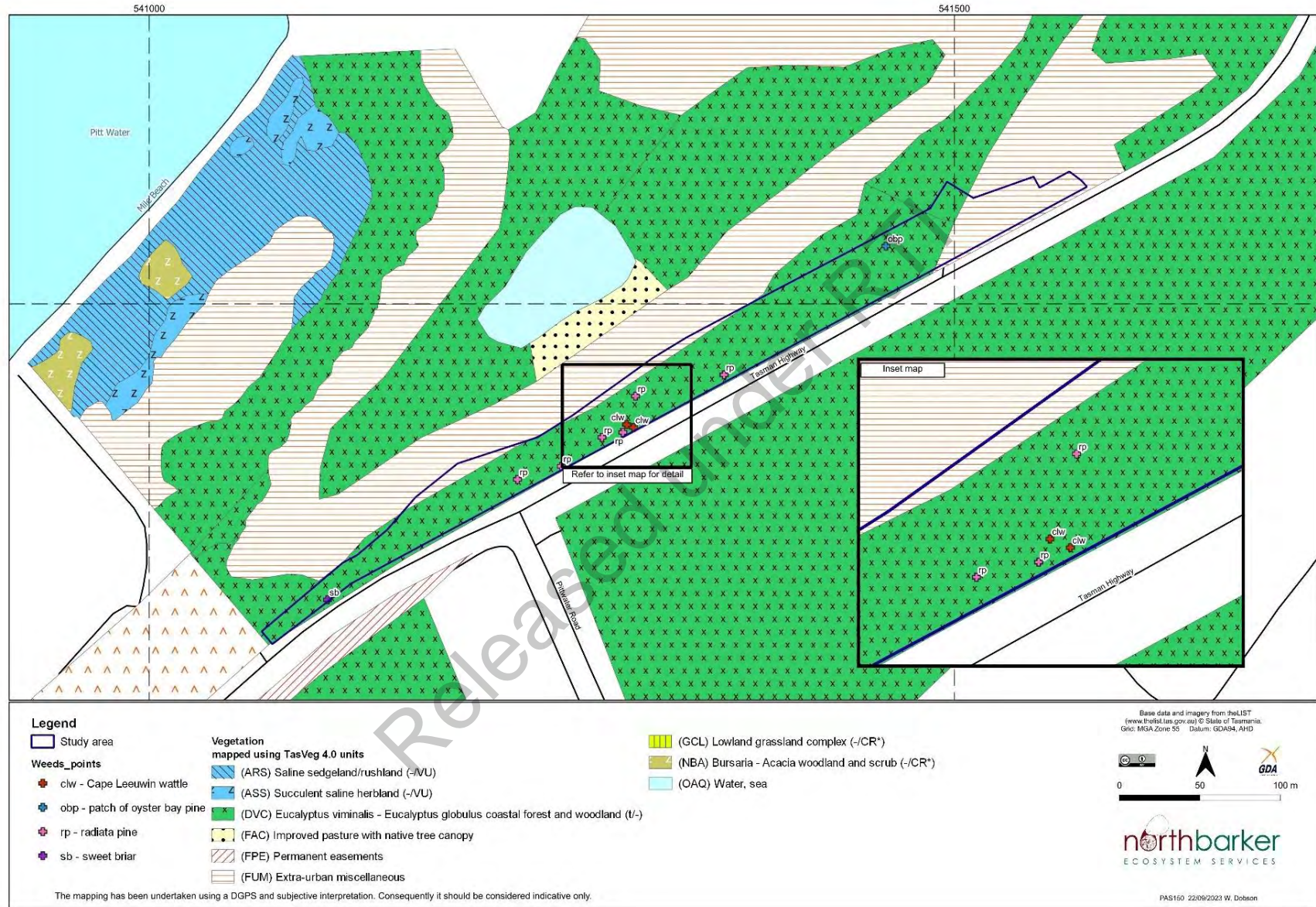


Figure 2. Vegetation communities and environmental weeds recorded within the study area.



Figure 3. Significant trees including TPZ's and threatened fauna habitat within the study area.

4 Assessment of Impact and Mitigation

The study area contains high-quality natural values that should be prioritised for avoidance during the planning and design process of the SETs project. The most significant natural values pertaining to the study area includes the mature white gums that offer potential nesting habitat for the threatened Tasmanian masked owl and blue-winged parrot and the threatened DVC community, which is listed under the NCA. Additionally, there is potential for threatened orchid species to occur within the study area, including *Caladenia caudata*, *Caladenia saggicola* and *Prasophyllum milfordense*. To ensure there is no risk of these species occurring within the study area, follow-up targeted orchid surveys should be undertaken.

4.1 Vegetation

Most of the study area comprises *Eucalyptus viminalis* - *E. globulus* coastal forest and woodland (DVC) and is represented in Figure 2. DVC is listed as a threatened vegetation community under the NCA and conform with priority vegetation under the Tasmanian Planning Scheme Natural Assets Code.

4.2 Threatened Flora

No threatened flora species listed either under the TSPA or the EPBCA were recorded during field surveys. Although several threatened orchid species occur at the Milford property on the opposite side of the Tasman Highway from the study area the potential for these species to occur in the study area is considered low.

Comment

- Even though the likelihood is considered remote, follow-up targeted threatened flora surveys aligning with the peak flowering period of the two target species would ensure there is no uncertainty of impact.
- *Caladenia saggicola* - week commencing the 9th of October depending on the outcome of TPT survey trip scheduled for 8 October.
- *Prasophyllum milfordense* – Late November.

4.3 Threatened Fauna and Threatened Fauna Habitat

Twenty-six (26) significant (>70 cm DBH) trees were recorded within the study area and an additional two trees have 10% or more of their TPZ overlapping with the study area and would be impacted by the proposed development. The TPZ is a specified area above and below ground at a given distance from the trunk set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree to be retained where it is potentially subject to damage by development. The TPZ is calculated for each tree by multiplying its DBH by 12, with a minimum TPZ of 2 m and a maximum of 15 m as defined in the *Australian Standard for Protection of trees on development sites*¹³.

Twenty-one (21) trees considered potential masked owl habitat were recorded during the survey, of which sixteen (16) are located within the study area and two (2) have their TPZ encroached > 10% and are at risk of impact from the proposed development. An additional five (5) trees are located within the study area compared to the previous 2020 study area design. All tree data captured during the field surveys is provided in Appendix B.

Six trees recorded within the study area have been previously climbed in 2019 during NBES natural values assessment of the Tasmania Golf Club¹⁴. Of these trees, four had verified hollows suitable for masked owl and the remainder contained no suitable hollows.

The location of significant trees with nesting potential within the survey area is mapped in Figure 3.

¹³ Standards Australia (2009)

¹⁴ North Barker Ecosystem Services (2021)



Noise pollution near habitat trees could risk hollow abandonment if it is in use by the Tasmanian masked owl. However, this risk is considered low due to habitat trees proximity to the Tasman Highway and existing disturbance.

4.4 Weeds

Earthworks on site are likely to stimulate germination of weeds. The use of machinery and vehicles during construction also brings an increased risk of spreading existing weeds within the locality. Post construction works, if weed infestations still occur, they should be managed to prevent their spread.

It will be appropriate to develop a weed and hygiene management plan that outlines primary and secondary weed control and requirements. Best practice construction hygiene should be included to prevent the spread of weed propagules in contaminated soil.

Released under RTI



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Appendix A - Vascular Plant Species List

ORIGIN
i - introduced
d - declared weed WM Act
en - endemic to Tasmania
t - within Australia, occurs only in Tas.

NATIONAL SCHEDULE
EPBC Act 1999
CR - critically endangered
EN - endangered
VU - vulnerable

STATE SCHEDULE
TSP Act 1995
e - endangered
v - vulnerable
r - rare

Sites:

1 DVC - E541192, N5258879

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Site	Name	Common name	Status
	DICOTYLEDONAE		
	AIZOACEAE		
1	<i>Tetragonia implexicoma</i>	bower spinach	
	ASTERACEAE		
1	<i>Cassinia aculeata subsp. aculeata</i>	dollybush	
1	<i>Gazania rigens</i>	Gazania	i
	BORAGINACEAE		
1	<i>Cynoglossum suaveolens</i>	sweet houndstongue	
	CASUARINACEAE		
1	<i>Allocasuarina verticillata</i>	drooping sheoak	
	CHENOPODIACEAE		
1	<i>Einadia nutans subsp. nutans</i>	climbing saltbush	
1	<i>Rhagodia candolleana subsp.</i>	coastal saltbush	
	CONVOLVULACEAE		
1	<i>Dichondra repens</i>	kidneyweed	
	ERICACEAE		
1	<i>Acrotriche serrulata</i>	ants delight	
	FABACEAE		
1	<i>Acacia dealbata subsp. dealbata</i>	silver wattle	
1	<i>Acacia mearnsii</i>	black wattle	
1	<i>Acacia melanoxylon</i>	blackwood	
1	<i>Daviesia sejugata</i>	leafy spiky bitterpea	
1	<i>Indigofera australis subsp. australis</i>	native indigo	
1	<i>Paraserianthes lophantha subsp.</i>	cape wattle	i
1	<i>Vicia sativa subsp. sativa</i>	common vetch	i
	FUMARIACEAE		
1	<i>Fumaria officinalis subsp. officinalis</i>	common fumitory	i
	GERANIACEAE		
1	<i>Geranium sp.</i>	native geranium	
	MYRTACEAE		
1	<i>Corymbia ficifolia</i>	red flowering gum	i
1	<i>Eucalyptus viminalis subsp. viminalis</i>	white gum	
	OXALIDACEAE		
1	<i>Oxalis sp.</i>	woodsorrel	
	PITTOSPORACEAE		
1	<i>Bursaria spinosa subsp. spinosa</i>	prickly box	
	PLANTAGINACEAE		
1	<i>Plantago coronopus</i>	buckshorn plantain	i

1	<i>Plantago lanceolata</i>	ribwort plantain	i
	POLYGONACEAE		
1	<i>Acetosella vulgaris</i>	sheep sorrel	i
	PRIMULACEAE		
1	<i>Lysimachia arvensis</i>	scarlet pimpernel	i
	SANTALACEAE		
1	<i>Exocarpos cupressiformis</i>	common native-cherry	
	SAPINDACEAE		
1	<i>Dodonaea viscosa subsp. spatulata</i>	broadleaf hopbush	
	THYMELAEACEAE		
1	<i>Pimelea humilis</i>	dwarf riceflower	
	TREMANDRACEAE		
1	<i>Tetratheca labillardierei</i>	glandular pinkbells	
	GYMNOSPERMAE		
	CUPRESSACEAE		
1	<i>Hesperocyparis macrocarpa</i>	monterey cypress	i
	PINACEAE		
1	<i>Pinus radiata</i>	radiata pine	i
	MONOCOTYLEDONAE		
	ASPARAGACEAE		
1	<i>Lomandra longifolia</i>	sagg	
	CYPERACEAE		
1	<i>Ficinia nodosa</i>	knobby clubsedge	
1	<i>Lepidosperma concavum</i>	sand swordedge	
	IRIDACEAE		
1	<i>Freesia hybrid</i>	freesia	i
	JUNCACEAE		
1	<i>Luzula flaccida</i>	pale woodrush	
1	<i>Luzula meridionalis</i>	southern woodrush	
	POACEAE		
1	<i>Aira sp.</i>	hair grass	i
1	<i>Anthoxanthum odoratum</i>	sweet vernalgrass	i
1	<i>Austrostipa sp.</i>	speargrass	
1	<i>Briza maxima</i>	greater quaking-grass	i
1	<i>Dactylis glomerata</i>	cocksfoot	i
1	<i>Distichlis distichophylla</i>	australian saltgrass	
1	<i>Ehrharta erecta</i>	panic veldtgrass	i
1	<i>Microlaena stipoides</i>	weeping grass	
1	<i>Poa labillardierei</i>	silver tussockgrass	
1	<i>Poa sp.</i>	poa	
1	<i>Themeda triandra</i>	kangaroo grass	
	PTERIDOPHYTA		
	DENNSTAEDTIACEAE		
1	<i>Pteridium esculentum subsp. esculentum</i>	bracken	

Appendix B- Tree survey data

Note* All trees are white gums (*Eucalyptus viminalis*)

Tree ID	DBH (m)	Location accuracy (m)	Masked owl nesting potential	Notes	Within 2020 development footprint	Within current development footprint	Encroachment of Tree protection Zone (TPZ)
#1	0.77	0.047	Unlikely	Multiple hollows in tree visible	Yes	No	No
#2	0.86 & 0.92	0.025	Unlikely	Tree splits into two trunks at base	Yes	No	No
#3	1.38	0.034	Likely	Multiple hollows in tree visible	No	No	No
#4	0.93	0.016	Likely	One hollow visible in tree	Yes	Yes	Yes
#5	0.86	0.02	Unlikely	-	Yes	Yes	Yes
#6	0.76	0.02	Unlikely	-	Yes	Yes	Yes
#7	1.06	0.031	Likely	Tree is dead	Yes	Yes	Yes
#8	0.88	0.055	Unlikely	-	Yes	Yes	Yes
#9	0.90	0.016	Unlikely	-	No	No	No
#10	1.07	0.025	Likely	-	No	No	No
#11	1.19	0.025	Likely	-	No	No	No
#12	0.88	0.017	Unlikely	-	Yes	Yes	Yes
#13	0.93	0.015	Unlikely	-	Yes	Yes	Yes
#14	1	0.017	Likely	-	Yes	Yes	Yes
#15	1.34	0.065	Likely	-	Yes	Yes	Yes
#16	1.51	0.015	Likely	-	Yes	Yes	Yes
#17	1.50	0.02	Unlikely	Tree was climbed in 2019 and no suitable hollows were observed	Yes	Yes	Yes
#18	1.19	0.039	Unlikely	Tree was climbed in 2019 and no suitable hollows were observed	Yes	Yes	Yes
#19	0.84	0.022	Unlikely	-	Yes	Yes	Yes
#20	1.07	0.015	Likely	Tree was climbed in 2019 and hollows suitable for masked owl were observed	No	Yes	Yes

Tree ID	DBH (m)	Location accuracy (m)	Masked owl nesting potential	Notes	Within 2020 development footprint	Within current development footprint	Encroachment of Tree protection Zone (TPZ)
#21	1	0.017	Likely	-	Yes	Yes	Yes
#22	1.01 & 0.88	0.126	Likely	Tree splits into two trunks at base	No	Yes	Yes
#23	1.21	0.017	Likely	Tree was climbed in 2019 and hollows suitable for masked owl were observed	Yes	Yes	Yes
#24	1.04	0.029	Likely	-	Yes	Yes	Yes
#25	0.93	0.018	Unlikely	-	Yes	Yes	Yes
#26	1.53	0.036	Likely	Tree was climbed in 2019 and hollows suitable for masked owl were observed	No	Yes	Yes
#27	1.08	0.018	Likely	Tree was climbed in 2019 and hollows suitable for masked owl were observed	Yes	Yes	Yes
#28	1.07	0.016	Likely	Tree is dead	No	Yes	Yes
#29	0.82	0.021	Unlikely	Tree is dead	No	Yes	Yes
#30	1.08	0.017	Likely	-	No	No	Yes
#31	0.74	0.018	Unlikely	-	No	Yes	No
#32	1.10	0.02	Likely	-	Yes	Yes	Yes
#33	1.10 & 0.84	0.015	Likely	Tree splits into two trunks at base	No	Yes	Yes
#34	0.82	0.015	Unlikely	-	No	No	No
#35	1.32	0.018	Likely	-	No	No	Yes
#36	0.84	0.034	Unlikely	-	No	No	No
#37	1.02	0.015	Likely	-	No	No	No