

Application for a



Office of
Environment
& Heritage

Section 91 Licence

under the *Threatened Species Conservation Act 1995* to harm or pick a threatened species, population or ecological community* or damage habitat.

1. Applicant's Name ^: <i>(if additional persons require authorisation by this licence, please attach details of names and addresses)</i>	Kay Van Norton	
2. Australian Business Number (ABN):	n/a	
3. Organisation name and position of applicant ^: <i>(if applicable)</i>	Owner, [REDACTED], Manly	
4. Postal address ^:	Correspondance to: Stuart Simington Lindsay Taylor Lawyers Suite 3, Level 9, 420 George St Sydney 2000 Ecological Queries to: Nicholas Skelton GIS Environmental Consultants ecology@ecology.net.au	Telephone: 8235 9704 Ecological Queries and Access: Mob: 0419 438 672 Ph: 9939 5129
5. Location of the action <i>(including grid reference and local government area and delineated on a map).</i>	[REDACTED], Manly NSW 2095 Manly LGA [REDACTED] See Attached Maps and Figures	

* A threatened species, population or ecological community means a species, population or ecological community identified in Schedule 1, 1A or Schedule 2 of the *Threatened Species Conservation Act 1995*.

^The personal details of all Section 91 licences will be displayed in the register of Section 91 licences required under Section 104 of the *Threatened Species Conservation Act 1995*. See notes.

6. Full description of the action and its purpose (e.g. environmental assessment, development, etc.)

Proposed Action

Soil has accumulated on the rock surface and weeds have become established between the top of the cliff and the rear glass balustrade. The recent high rainfall and good growing conditions have increased the amount and height of weeds

The proposed action is the trimming of weeds above the cliff top that protrude above the level of the retaining wall at the base of the balustrade. See Figures 1, 2 and 3

The proposed **ameliorative measures** to minimise potential impacts of the actions:

- Trimming will only occur between 10am and 4pm
- Trimming will only occur during non-breeding season from the 1st March to 31st May
- Trimming will only occur once a year for a period of 5 years
- The trimming will be limited to the top of the retaining wall
- Only weed species will be trimmed.
- Cut vegetation will be removed from the site via land and not via the sea and is not allowed to fall down the cliff
- The property will be inspected by a suitably qualified ecologist before works commence to ensure that there are no Little penguins or bandicoots present within 30 m of the works.
- Works will not commence if there are penguins on the property or on adjacent properties.

The NSW listed Noxious weed species to be trimmed are; Lantana (*Lantana camara*), Crofton (*Ageratina adenophora*), Morning Glory (*Ipomoea indica*), Asparagus Fern (*Asparagus aethiopicus*), Asthma Weed (*Parietaria judaica*), Canary Island Date Palm (*Phoenix canariensis*) and Turkey Rhubarb (*Acetosa sagittata*). Other weeds species to be trimmed include; Beefsteak Plant (*Acalypha wilkesiana*), Senna (*Senna pendula*), Cape Honey Suckle (*Tecoma capensis*),) and Bougainvillea (*Bougainvillea glabra*)

Native plants that will not be trimmed include Port Jackson Fig (*Ficus rubiginosa*) and Coastal Banksia (*Banksia integrifolia*) trees. Figures 2 and 3 shows vegetation to be trimmed and vegetation to remain the same.

This vegetation is above the natural cliff top and is not within Critical Habitat, it is however adjacent to Critical Habitat.

Vegetation trimming is proposed to occur once a year for a period of 5 years which is the maximum time permitted by a S91 licence. The owner of the property would prefer a more permanent solution such as removing the thin layer of soil from the rock surface on the cliff top bedrock along with vegetation. This would only require one day of work with no future repeats.

The purpose of the proposed actions is fourfold:

	<p>1. Reducing the likelihood of medical conditions such as hay fever, rashes or asthma, caused by allergic reactions to plant pollen, trichomes and phytochemicals. Weeds including Lantana, Asthma weed, Crofton weed are known to cause respiratory and allergic reactions particularly in the sick, frail or elderly. The occupant of this house has a serious medical condition where additional medical stressors could be highly detrimental to their health.</p> <p>2. Control Noxious Weeds List</p> <p>3. Reduce the visual impact of the weeds</p> <p>4. The trimming of the vegetation may also help in preventing foxes from accessing the critical penguin habitat below the cliff top. The vegetation has grown up very thick against the glass balustrade fence may be assisting foxes to scale the fence. The lowering of the vegetation will possibly reduce the accessibility for foxes to and from the foreshore Critical Habitat area. Foxes are a major threat to this penguin population and are listed as a Key Threatening Process.</p> <p>Application required to meet Court order</p> <p>This application is required by a Land and Environment Court ordered Plan of Management (proceedings No 11004 of 2013 and 10915 of 2013) for this site in which condition 4.2 prohibits the removal or trimming of vegetation in this area without the consent of a licence, permit, approval certificate from OEH. Conditions 4.2 and 8.2 of the Plan of Management envisages the possible future need to trim vegetation on the site.</p>
<p>7. Details of the area to be affected by the action (<i>in hectares</i>).</p>	<p>The land down to the high water mark is privately owned by the residents of [REDACTED] Kay Van Norton and Greg Poche. The part of the property where the action is proposed is the land above (to the west) the natural cliff top and to the west of the low retaining wall with a glass balustrade on the top that is set back from the cliff top. The width of the area varies from 0.5m to approximately 2m between the retaining wall and the natural cliff top and is approximately 26m long. The total area is less than 35m²</p> <p>This area does not meet the definition of critical habitat, however the immediately adjacent land to the east is Critical Habitat. This S91 Licence application was considered advisable due to the close proximity to Critical Habitat.</p> <p>The adjacent land to the east below the cliff top is Critical Habitat. The land to the west is the formal back yard of the house. The subject site is relatively level with a very shallow soil on top of the sandstone bedrock.</p> <p>The whole of the property is within the area of habitat identified for the Endangered Long-nosed Bandicoot population at North Head.</p> <p>There is no access for penguins or bandicoots into the subject site.</p> <p>See Figures 1, 2 and 3 attached.</p>
	<p>The proposed ameliorative measures for the duration and timing of the actions to minimise potential impacts include:</p>

<p>8. Duration and timing of the action (<i>including staging, if any</i>).</p>	<ul style="list-style-type: none"> • Trimming will only occur between 10am and 4pm • Trimming will only occur during non-breeding season from the 1st March to 31st May • Trimming will only occur once a year for a period of 5 years • The property will be inspected by a suitably qualified ecologist before works commence to ensure that there are no little penguins or bandicoots present within 30 m of the works. • Works will not commence if there are penguins on the property or on adjacent properties <p>Alternatively, instead of just trimming the vegetation, the soil along with the vegetation could be removed leaving just bedrock. This would take a day, would be a permanent solution and is the preferred solution for the owner of the property.</p>
<p>9. Is the action to occur on land declared as critical habitat*? (<i>tick appropriate box</i>)</p>	<p>No, however the area is immediately adjacent to Critical Habitat B (See Figure 2.). A licence application was required in accordance with the Court imposed Plan of Management..</p>

<p>10. Threatened species, populations or ecological communities to be harmed or picked.</p>	<p><u>Scientific name</u> Eudyptula minor</p>	<p><u>Common name</u> (<i>if known</i>) Little Penguin Population and Manly</p>	<p><u>Conservation status</u> (<i>i.e. critically endangered, endangered or vulnerable</i>) Endangered Population</p>	<p><u>Details of no. of individual animals, or proportion and type of plant material</u> (<i>e.g. fertile branchlets for herbarium specimens or whole plants or plant parts</i>)</p> <p>The proposal will not affect any penguin, nest or moulting other actual or potential penguin habitat because penguins can not enter the part of the property to be impacted. There is declared penguin Critical Habitat adjacent to the site to the east. Penguins use this site and adjacent sites and their use is well documented by this author and OEH.</p>
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* Critical habitat means habitat declared as critical habitat under Part 3 of the *Threatened Species Conservation Act 1995*.

				<p>There is an historic nest site (nest 310) on this property below the stairs. This nest was used for three breeding seasons between 2009-12. There are no nests on this property or adjacent properties to the north that have been used in the last season, however there are several potential nest sites on these properties (See Figure 1.). On the adjacent property to the south, there are two regularly used nesting sites. One on the boundary of the subject site (which was not used in the 2015-16 season). The other has been consistently used for many years. There are also nests on properties further south.</p>
	<p><u>Scientific Name</u></p> <p><i>Perameles nasuta</i></p>	<p><u>Common Name</u> (if known)</p> <p>Long-nosed Bandicoot Population at North Head</p>	<p><u>Conservation Status</u> (i.e. critically endangered, endangered or vulnerable)</p> <p>Endangered population</p>	<p><u>Details of no. of individual animals, or proportion and type of plant material</u> (e.g. fertile branchlets for herbarium specimens or whole plants or plant parts)</p> <p>The property occurs within the habitat area for the endangered North Head population of Long-nosed Bandicoot as shown in the declaration. The majority of the population occurs in the bushland of North Head east of this property. Approximately 28-45 (25%) of the total population live within</p>

				<p>the urban environment with 120-140 individuals occurring within the bushland. There is no bandicoot access to the area along the cliff top affected by the proposal, however, bandicoots can access and use the garden on this property and adjacent properties.</p>
<p>11. Species impact: <i>(please tick appropriate box)</i></p> <p>a) For action proposed on land declared as critical habitat;</p> <p>or</p> <p>b) For action proposed on land <u>not</u> declared as critical habitat.</p>	<p>The proposed trimming is above the cliff top and is not within Critical Habitat but is on the edge of critical habitat.</p> <p>In accordance with s111 [4] of the Threatened Species Conservation Act 1995 – a Species Impact Statement may not be required for these actions and may be waived if the Chief Executive of OEH considers the action to be trivial or negligible.</p> <p>an SIS is attached <input checked="" type="checkbox"/> No</p> <p>Items 12 to 25 have been addressed <input checked="" type="checkbox"/> Yes</p>			
<p><i>N.B: Provision of a species impact statement is a statutory requirement of a licence application if the action is proposed on critical habitat. The provision of information addressing items 12 to 17 is a statutory requirement of a licence application if the action proposed is <u>not</u> on land that is critical habitat. Information addressing any of the questions below must be attached to the application.</i></p>				
<p>12. Describe the type and condition of habitats in and adjacent to the land to be affected by the action.</p>	<p>The land containing the weeds proposed to be trimmed is a thicket of weeds, that is not accessible by penguins due to the sheer 15m high cliff on the eastern side and the retaining wall with glass balustrade on the western side. See Figure 2 and 3. The vegetation does not shade any potential or active penguin nesting habitat.</p> <p>The width of the area varies from 0.5m wide to 2m wide and is approximately 26 m long. The area is approximately 35m²in area.</p> <p>The retaining wall and balustrade and gate do not allow through access by penguins or bandicoots. The northern and southern side of the property have penguin and bandicoot access to garden beds on the adjacent properties but there is not likely to be access from these garden beds to other areas of habitat.</p> <p>The high wind and salt air has shaped the weed thicket and made the vegetation dense, due to the recent favourable weather the current condition of the vegetation is very good.</p> <p>The NSW listed Noxious weed species that occur at the site are; Lantana (<i>Lantana camara</i>), Crofton (<i>Ageratina adenophora</i>), Morning Glory (<i>Ipomoea indica</i>), Asparagus Fern (<i>Asparagus aethiopicus</i>), Canary Island Date Palm (<i>Phoenix canariensis</i>) and Turkey Rhubarb (<i>Acetosa</i></p>			

	<p><i>sagittata</i>). Other weeds species that occur onsite include; Beefsteak Plant (<i>Acalypha wilkesiana</i>), Senna (<i>Senna pendula</i>), Cape Honey Suckle (<i>Tecoma capensis</i>,) and Bougainvillea (<i>Bougainvillea glabra</i>)</p> <p>Native plants occurring at the site but will not be trimmed include Port Jackson Fig (<i>Ficus rubiginosa</i>) and Coastal Banksia (<i>Banksia integrifolia</i>) trees.</p> <p>See Figure 1 for photos of vegetation.</p>
<p>13. Provide details of any known records of a threatened species in the same or similar known habitats in the locality (<i>include reference sources</i>).</p>	<p>The nearby habitat and nesting penguins in the locality are shown on Figure 2 attached.</p> <p>The 2014 Monitoring report for the Manly Little Penguin Recovery Program 2013/14 stated that there were 70 known breeding pairs present within the Critical Habitat Areas A and B combined. The 2014/15 survey is still in draft form and does not include any detail on this section of foreshore habitat. In the last breeding season there has been no penguins breeding within 30 of the proposed weed trimming.</p> <p>The site is also within the known distribution of the endangered population of the Long-Nosed Bandicoot at North Head. Approximately 28-45 (25%) of the total population live within the urban environment surrounding North Head bushland with 120-140 occurring within the bushland. This species is considered unlikely to be impacted by the proposed activity because bandicoots cannot access this area.</p>
<p>14. Provide details of any known or potential habitat for a threatened species on the land to be affected by the action (<i>include reference sources</i>).</p>	<p>There are currently no penguin nests in this property or adjacent properties to the north. There is a previously used nest site on the central part of the middle section of the cliff on this property that has only been recorded as having been used once and has not been used in the last 2 seasons. There are penguin nest sites on the adjacent property to the south. These have been regularly used in the last 10 years. One of these is adjacent to the property boundary. This nest has not been used in the recent season.</p> <p>The vegetation trimming will occur greater than 6 m from any historic or current nest site and greater than 6m from the access path to any nest moulting site or other potential habitat next to the property boundary on the south. See Figure 2.</p> <p>No actual or potential nest are shaded or sheltered by the vegetation proposed to be trimmed.</p> <p>Bandicoots cannot access the site which will be affected. They do occur in the area but are not common.</p>
<p>15. Provide details of the amount of such habitat to be affected by the action proposed in relation to the known distribution of the species and its habitat in the locality.</p>	<p>The extent of penguin Critical Habitat in the locality is approximately the whole of Manly Point foreshore and the foreshore from Collins Beach to Carnae Point. The area of this habitat has not been accurately quantified but is likely to be several hectares.</p> <p>There are other small additional areas occupied by this population outside of the Critical Habitat declared areas.</p> <p>The site is not considered to be critical habitat and the amount of habitat where the action will take place is approximately 35m² which is relatively</p>

	<p>small (less than 0.05% of the suitable habitat in the locality) and no significant impact to penguins or bandicoots is likely to occur as a result of the proposed activity.</p>
<p>16. Provide an assessment of the likely nature and intensity of the effect of the action on the lifecycle and habitat of the species.</p>	<p>The impact of trimming weeds on the cliff top will not impact on the lifecycle or habitat of penguins or bandicoots as the action is not within any actual or potential penguin nests or access routes, the site is not accessible for bandicoots, the impact will be of short duration, out of the penguin breeding season and will occur above the cliff top not in critical habitat.</p> <p>The proposed ameliorative measures to minimise potential impacts of the actions:</p> <ul style="list-style-type: none"> • Trimming will only occur between 10am and 4pm • Trimming will only occur during non-breeding season from the 1st March to 31st May • Trimming will only occur once a year for a period of 5 years • The trimming will be limited to the top of the retaining wall. See Figures 2 and 3. • Only weed species will be trimmed. • Cut vegetation will be removed from the site via land and not via the sea and is not allowed to fall down the cliff • The property will be inspected by a suitably qualified ecologist before works commence to ensure that there are no little penguins or bandicoots present within 30 m of the works. Works will not commence if there are penguins on the property or on adjacent properties.
<p>17. Provide details of possible measures to avoid or ameliorate the effect of the action.</p>	<p>The proposed ameliorative measures to minimise potential impacts of the actions:</p> <ul style="list-style-type: none"> • Trimming will only occur between 10am and 4pm • Trimming will only occur during non-breeding season from the 1st March to 31st May • Trimming will only occur once a year for a period of 5 years • The trimming will be limited to weeds protruding above the level of the retaining wall. See Figures 2 and 3 • Only weed species will be trimmed. • Cut vegetation will be removed from the site via land and not via the sea and is not allowed to fall down the cliff. • The property will be inspected by a suitably qualified ecologist before works commence to ensure that there are no little penguins or bandicoots present within 30 m of the works. Works will not commence if there are penguins on the property or on adjacent properties.

<p><i>N.B: The Director-General must determine whether the action proposed is likely to significantly affect threatened species, populations or ecological communities, or their habitats. To enable this assessment the Applicant is required to address items 18 to 24. Any additional information referred to in addressing these items must be attached to the application.</i></p>	
<p>18. In the case of a threatened species, whether the action proposed is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction.</p>	<p>No Threatened Species or their habitat will be impacted by the proposed actions.</p>
<p>19. In the case of an endangered population, whether the action proposed is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction.</p>	<p>The local populations of penguins and bandicoots are viable at least in the short term.</p> <p>The proposed actions will not have an adverse impact on the life cycle of these populations if ameliorative conditions are followed these include:</p> <ul style="list-style-type: none"> • Trimming will only occur between 10am and 4pm • Trimming will only occur during non-breeding season from the 1st March to 31st May • Trimming will only occur once a year for a period of 5 years • The trimming will be limited to weeds protruding above the level of the retaining wall. See Figures 2 and 3. • Only weed species will be trimmed • Cut vegetation will be removed from the site via land and not via the sea and is not allowed to fall down the cliff • The property will be inspected by a suitably qualified ecologist before works commence to ensure that there are no little penguins or bandicoots present within 30 m of the works. Works will not commence if there are penguins on the property or on adjacent properties.

	The vegetation trimming not likely to have an adverse impact on these species that may place the populations at risk of extinction
<p>20. In the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:</p> <p>(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or</p> <p>(ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction.</p>	No Endangered Ecological Community will be impacted.
<p>21. In relation to the habitat of a threatened species, population or ecological community:</p> <p>(i) the extent to which habitat is likely to be removed or modified as a result of the action proposed, and</p> <p>(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action, and</p> <p>(iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality.</p>	<p>This site is not habitat because it cannot be accessed by penguins or bandicoots therefore;</p> <p>i. No habitat will be removed or modified as a result of the action;</p> <p>ii. No habitat is likely to become fragmented as a result of the action; and</p> <p>iii. Given the above and the proposed ameliorative measures, the long term survival of the population is not likely to be impacted by the action.</p>

<p>22. Whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly).</p>	<p>The proposed actions to trim weed vegetation that is not on Critical Habitat but is adjacent to Critical Habitat. See fig 2.</p> <p>The proposed ameliorative measures to minimise potential impacts of the actions:</p> <ul style="list-style-type: none"> • Trimming will only occur between 10am and 4pm • Trimming will only occur during non-breeding season from the 1st March to 31st May • Trimming will only occur once a year for a period of 5 years • The trimming will be limited to the top of the retaining wall • Only weed species will be trimmed. • Cut vegetation will be removed from the site via land and not via the sea and is not allowed to fall down the cliff. • The property will be inspected by a suitably qualified ecologist before works commence to ensure that there are no little penguins or bandicoots present within 30 m of the works. Works will not commence if there are penguins on the property or on adjacent properties. <p>Given the location, minor nature, timing and short duration of the action, if the ameliorative measures are followed the action is not likely to directly or indirectly have an adverse impact on the Critical Habitat.</p>
<p>23. Whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan.</p>	<p>A Recovery Plan for the Endangered Population of Little Penguins at Manly was released in October 2000. The overall objective of the document is to maintain and enhance the population of Little Penguins at Manly to a position of security in nature and have it de-listed as an endangered population from Part 2 of Schedule 1 of the TSC Act 1995. Specifically, the Recovery Plan aims to (1) To determine the current status of the population and extent of current habitat, (2) To identify and ameliorate impacts of current threats, (3) To maintain the population at current levels and increase the limits of potential habitat, (4) To continue community education, awareness and involvement, (5) To ensure the protection of the Little Penguin population at Manly and its habitat in the long term, (6) To support and coordinate research into the ecology of the population, and (7) To re-asses recovery program priorities. These aims are mostly not relevant to this proposal.</p> <p>The vegetation has grown up against the glass balustrade fence allowing foxes to climb the fence. The lowering of the vegetation will reduce the accessibility of foxes to the foreshore critical habitat area. Foxes are a major threat to this penguin population and are a listed key Threatening Process.</p> <p>This proposal is considered to be consistent with the Draft Recovery Plan.</p>

24. Whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

The *TSC Act 1995* defines “threatening process” as “a process that threatens or may have the capability to threaten, the survival or evolutionary development of species, populations or ecological communities”.

Key Threatening Processes known to affect the Little Penguin Population in the Manly point area are:

- **Loss of suitable habitat (major threat):** The area of the proposal is not Critical Habitat and is not accessible for penguins or bandicoots. The proposal will not result in the loss of penguin or bandicoot habitat or access to habitat.
- **Habitat loss as a result of property renovation or development:** The proposal is maintenance and trimming of vegetation. The area of the proposal is not Critical Habitat and is not accessible for penguins or bandicoots. The proposal will not result in the loss of penguin or bandicoot habitat or access to habitat.
- **Predators such as dogs and foxes pose a threat as penguins move between water and their nests:** The proposal will improve the situation by reducing the chance of foxes using the vegetation to climb the fence.
- **Domestic dog attacks:** No change
- **Movement, noise and light disturbance from nearby buildings and fishing activities:** No change
- **Delayed arrival of penguins to their chicks when perceiving threats:** No change
- **Increased interest in the population by curious people as awareness of the population grows:** No change
- **Weed removal around the foreshore:** The proposal will remove vegetation on the cliff top which is not in critical habitat and is not accessible to penguins or bandicoots. The vegetation is not located on the foreshore level or the cliff around the foreshore but is above and beyond the cliff top
- **Stormwater runoff and rubbish dumping can destroy nesting habitat and expose penguins to pollutants:** No change
- **Industrial and urban inputs into the harbour can contaminate the penguins and/or their food source:** No change
- **Sea Level Rise:** No change

The proposal is not likely to result in a significant increase of any Key Threatening Processes.

The action is not likely to constitute, form part of or exacerbate any key threatening process.

Important information for the applicant

Processing times and fees

The *Threatened Species Conservation Act 1995* provides that the Director-General must make a decision on the licence application within 120 days where a species impact statement (SIS) has been received. No timeframes have been set for those applications which do not require a SIS. The Director-General will assess your application as soon as possible. You can assist this process by providing clear and concise information in your application.

Applicants may be charged a processing fee. The Director-General is required to advise prospective applicants of the maximum fee payable before the licence application is lodged. Therefore, prospective applicants should contact the Office of Environment and Heritage (OEH) prior to submitting a licence application.

A \$30 licence application fee must accompany a licence application.

Protected fauna and protected native plants*

Licensing provisions for protected fauna and protected native plants are contained within the *National Parks and Wildlife Act 1974*. However, a Section 91 Licence may be extended to include protected fauna and protected native plants when these will be affected by the action.

If you are applying for a licence to cover both threatened and protected species please provide the information requested in Item 10 *as well as* a list of protected species and details of the number of individuals animals or proportion and type of plant material which are likely to be harmed or picked.

Request for additional information

The Director-General may, after receiving the application, request additional information necessary for the determination of the licence application.

Species impact statement

Where the application is not accompanied by a SIS, the Director-General may decide, following an initial assessment of your application, that the action proposed is likely to have a significant effect on threatened species, populations or ecological communities, or their habitats. In such cases, the *Threatened Species Conservation Act 1995* requires that the applicant submit a SIS. Following initial review of the application, the Director-General will advise the applicant of the need to prepare a SIS.

Director-General's requirements for a SIS

Prior to the preparation of a SIS, a request for Director-General's requirements must be forwarded to the relevant OEH Office. The SIS must be prepared in accordance with section 109 and 110 of the TSC Act and must comply with any requirements notified by the Director-General of OEH.

Disclosure of Personal Information in the Public Register of s91 Licences

The Public Register provides a list of licence applications and licences granted. A person about whom personal information is contained in a public register may request that the information is removed or not placed on the register as publicly available.

Copies of all applications and licences issued under section 91 and certificates issued under section 95 of the Act are available on the OEH website at www.environment.nsw.gov.au/threatenedspecies/S91Tscaregisterbydate.htm or in hardcopy form from The Librarian, OEH, 59 Goulburn St, Sydney.

Certificates

If the Director-General decides, following an assessment of your application, that the proposed action is not likely to significantly affect threatened species, populations or ecological communities, or their habitats, a Section 91 Licence is not required and the Director-General must, as soon as practicable after making the determination, issue the applicant with a certificate to that effect.

* Protected fauna means fauna of a species not named in Schedule 11 of the *National Parks and Wildlife Act 1974*.

Protected native plant means a native plant of a species named in Schedule 13 of the *National Parks and Wildlife Service 1974*.

Copies of all applications and licences issued under section 91 and certificates issued under section 95 of the Act are available on the OEH website at www.environment.nsw.gov.au/threatenedspecies/S91TSCaRegisterByDate.htm or in hardcopy form from The Librarian, OEH, 59 Goulburn St, Sydney.

Certificates

If the Director-General decides, following an assessment of your application, that the proposed action is not likely to significantly affect threatened species, populations or ecological communities, practicable after making the determination, issue the applicant with a certificate to that effect.

N.B: An action that is not required to be licensed under the Threatened Species Conservation Act 1995, may require licensing under the National Parks and Wildlife Act 1974, if it is likely to affect protected fauna or protected native plants.

I confirm that the information contained in this application is correct. I hereby apply for a licence under the provisions of Section 91 of the *Threatened Species Conservation Act 1995*.

Applicant's name Kay Van Norton
(Please print)

KAY VAN NORTON

Applicant's Position & Organisation (if relevant)
(Please print) Owner

Applicant's signature

Kay E Van Norton
20th April 2016

Date

For more information or to lodge this form, contact the nearest branch of OEH's Conservation and Regulation Division:

Metropolitan Branch
F: 02 9895 6548
PO Box 644
Parramatta
NSW 2124

Email: gs.complianceregulation@environment.nsw.gov.au

Office of Environment and Heritage (NSW)
PO Box A290, Sydney South NSW 1232
Phone: 131 555 (Environment Line) Fax: 9995 5999
Email: info@environment.nsw.gov.au



Weeds to be trimmed northern end.



Weeds to be trimmed middle.



Weeds to be trimmed southern end.



Weeds to be trimmed southern end.



Weeds and Canary Island Date Palm to be trimmed southern end.



Close up of weeds to be trimmed.



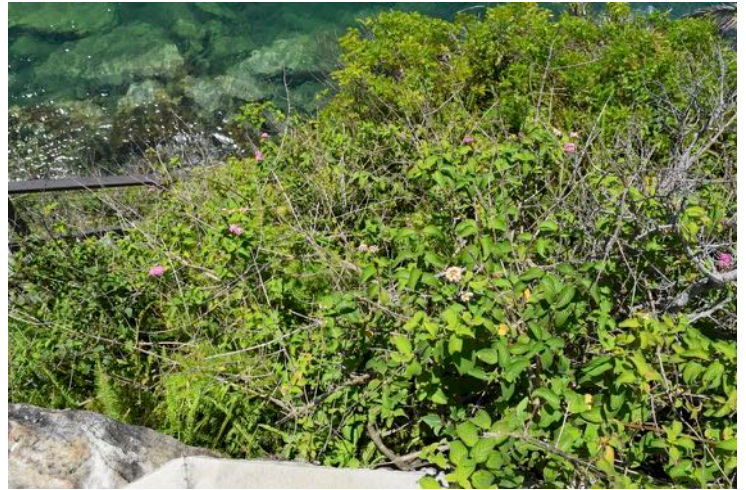
Close up of weeds to be trimmed.



Weeds to be trimmed mid section.



Weeds to be trimmed mid section.



Weeds to be trimmed northern end.



Bouganvillea to be trimmed under Fig in northern end.



Bouganvillea to be trimmed under Fig in northern end.



Weeds to be trimmed beside stairs on north side.



Weeds to be trimmed Northern end.