

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 ^:
(if additional persons
require authorisation by
this licence, please
attach details of names
and addresses)

MR Y WANG

2. Australian Business
Number (ABN):

3. Organisation name
and position of
applicant ^:
(if applicable)

4. Postal address ^:

WEST PENNANT HILLS

Telephone ^:

B.H.

A.H.

5. Location of the action
(including grid reference
and local government
area and delineated on
a map).

WEST PENNANT HILLS

* 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.)	<p>We need to remove a large Blue Gum tree as it has been loosing large branches which has caused damage to the property.</p> <p>The property contains small children whom play in the Yard.</p> <p>It potentially could be very dangerous.</p>
7. Details of the area to be affected by the action (in hectares).	<p>The removal of this tree should not affect any other trees.</p> <p>There are no trees in close Proximity to the Blue Gum.</p>
8. Duration and timing of the action (including staging, if any).	<p>We plan to remove this tree by the 20th December 2013.</p> <p>The removal will take 1-2 days.</p>
9. Is the action to occur on land declared as critical habitat*? (tick appropriate box)	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>* Critical habitat means habitat declared as critical habitat under Part 3 of the <i>Threatened Species Conservation Act 1995</i>.</p>	

<p>10. Threatened species, populations or ecological communities to be harmed or picked.</p>	<p><u>Scientific name</u> Eucalyptus saligna</p>	<p><u>Common name</u> (if known) Blue Gum</p>	<p><u>Conservation status</u> (i.e. critically endangered, endangered or vulnerable) Critically Endangered</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) Removal of one tree only.</p>
<p>11. Species impact: (please tick appropriate box)</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>an SIS is attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Items 12 to 25 have been addressed <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			
<p>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.</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 tree is on a residential block and the trees in the adjacent properties and road reserves include:</p> <ul style="list-style-type: none"> • Red Mahogany • Smooth Barked Apple • Grey Iron Bark • Blackbutt • White Mahogany
<p>13. Provide details of any known records of a threatened species in the same or similar known habitats in the locality (include reference sources).</p>	<p>There are other native trees in nearby properties and also extending to Pennant Hills Golf Club and the Cumberland State Forest.</p>
<p>14. Provide details of any known or potential habitat for a threatened species on the land to be affected by the action (include reference sources).</p>	<p>NO threatened species are known to use this tree as there habitat.</p> <p>There may be threatened species using the tree for nesting etc.</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 removal of this tree will not affect nearby trees or other more significant trees from Pennant Hills Golf Club or the Cumberland State Forest.</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 removal of this tree will stop its life cycle however the habitat of this tree poses a large risk to the occupants of this property.</p>
<p>17. Provide details of possible measures to avoid or ameliorate the effect of the action.</p>	<p>A more suitable plant will be planted on the property as per the council's guidelines.</p>
<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>The loss of a single Blue Gum tree is unlikely to result in the extinction of the Blue Gum species.</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>n/a</p>
<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>	<p>The removal of one Blue Gum tree may cause an impact on the extinction of the Blue Gum Forest. However the affect of the removal will be minimum.</p>
<p>21. In relation to the habitat</p>	

<p>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>The size and age of the tree gives it local significance. However, there are many other local native trees that also have local significance.</p> <p>There are no other known Blue Gum trees in the neighbouring properties.</p>
<p>22. Whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly).</p>	<p>There is no declared critical habitat at this location.</p>
<p>23. Whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan.</p>	<p>There is no known action Plan.</p>
<p>24. Whether the action</p>	

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 removal of the tree does constitute the "removal of the endangered species" but it is on a very small scale.

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

* 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*.

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/S91LicenceRegisterByDate.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.

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

(Please print)

Applicant's Position &

Organisation (if relevant)

(Please print)

Applicant's signature

Date

18/11/13

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