

Section 95(2) Certificate

Threatened Species Conservation Act 1995



Office of
Environment
& Heritage

Your reference : 2137E (D13/284972)
Contact : Lachlan Wilmott 02 4224 4156

Geoff Young, Environment Operations Officer
Shoalhaven City Council
PO Box 42,
Nowra, NSW 2541

Dear Mr Young

APPLICATION FOR LICENCE TO HARM THREATENED SPECIES, POPULATIONS, ECOLOGICAL COMMUNITIES OR TO DAMAGE THEIR HABITATS

I refer to your application for a licence to harm threatened species, populations or ecological communities, and/or damage their habitats under section 91 of the Threatened Species Conservation Act 1995 (TSC Act) by Shoalhaven City Council received by the Office of Environment and Heritage (OEH) on the 7th of November 2013

OEH understands the license is a continuation of a previous license for maintenance activities to be undertaken within areas potentially supporting the threatened Green and Golden Bell Frog.

I have considered the application and supporting information provided and I have determined that the proposed action is not likely to significantly affect threatened species, populations or ecological communities, or their habitats. Therefore, a licence is not required under the TSC Act for the proposed action.

A certificate to this effect has been issued (enclosed) under section 95 of the TSC Act subject to the conditions prescribed in the certificate.

You should note that it is an offence under section 133(4) of the National Parks and Wildlife Act 1974 to contravene or fail to comply with any condition or restriction attached to the certificate.

If you have any further questions in relation to this matter, please contact Lachlan Wilmott on 02 4224 4156.

Yours sincerely

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James Dawson
Senior Team Leader, Ecosystems and Threatened Species
Illawarra Region, South Branch, Regional Operations Group
Office of Environment and Heritage

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& Heritage

Issued To:

Shoalhaven City Council
PO Box 42,
Nowra, NSW 2541

Certificate no. : C0000165
Issue Date: 16/01/2014
Expiry date: 10/01/2016

I certify that the picking/harming of *Litoria aurea* for the purposes of routine maintenance activities on stormwater and road-side drains by Shoalhaven City Council within Culburra, Callala Bay, Greenwell Point and Orient Point is not likely to significantly affect *Litoria aurea* or their habitats and consequently the Proposed Action does not require a licence under the Threatened Species Conservation Act 1995.

An act that is the subject of this certificate is a defence against prosecution under sections 118A-118D of the National Parks and Wildlife Act 1974.

The proposed action:

- A. Routine maintenance of areas that may comprise Green and Golden Bell Frog habitat within Culburra, Callala Bay, Greenwell Point and Orient Point

The holder of the certificate must ensure that:

1. All routine maintenance activities are in accordance with the Green and Golden Bell Frog Operating procedures.
2. The specified routine maintenance activities must adhere to the recommended mitigation measures outlined in the Gaia Research (2011) and Eco Logical Australia (2011) reports.
3. The s95(2) certificate does not refer to any endangered ecological communities or endangered populations. Any works to be undertaken that could have an impact on an endangered ecological community or endangered population would need to be the subject of a separate assessment and approval process.

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James Dawson

Senior Team Leader, Ecosystems and Threatened Species
Illawarra Region, South Branch, Regional Operations Group
Office of Environment and Heritage

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INFORMATION AND WARNINGS

- This certificate is issued under section 95(2) of the Threatened Species Conservation Act 1995.
- It is an offence against section 133(4) of the National Parks and Wildlife Act 1974, for the holder of this certificate to contravene or fail to comply with any condition or restriction of this certificate.
- The maximum penalty for a corporation is 200 penalty units and, in the case of a continuing offence, a further penalty of 20 penalty units for each day that the offence continues.
- The maximum penalty for an individual is 100 penalty units and, in the case of a continuing offence, a further penalty of 10 penalty units for each day that the offence continues.