

Section 95(2) Certificate

Threatened Species Conservation Act 1995



Office of
Environment
& Heritage

Your reference :
Our reference : DOC14/6504
Contact : Sarah Burke 9995 6848

Russell Fletcher
St Michaels Golf Club
PO Box 375
MAROUBRA NSW 2035

Dear Mr Fletcher

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

I refer to your application for a licence under section 91 of the *Threatened Species Conservation Act 1995* (TSC Act) to 'pick' the endangered ecological community, Eastern Suburbs Banksia Scrub (ESBS), received by the Office of Environment and Heritage (OEH) on 21 January 2014. OEH understands the licence application is to undertake ecological restoration activities within ESBS remnants, as well as undertake selective control of ESBS remnants.

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.

As previously advised, St Michael's will need to submit an Open Burn Permit Application to the Environment Protection Authority prior to undertaking any ecological burns on site, please contact Greg Sheehy greg.sheehy@epa.nsw.gov.au in relation to this. In addition, OEH recommends that St Michael's ensures that the Environmental Management System for the Golf Course incorporates any necessary protection and management protocols and restrictions for ESBS, as outlined in your licence application and the Remnant Vegetation Management Plan (which OEH understands is currently being finalised).

If you have any further questions in relation to this matter, please contact Sarah Burke on phone 9995 6848 or email sarah.burke@environment.nsw.gov.au

Yours sincerely

.....
DAVID TREWIN
**Senior Manager, Greater Sydney
Regional Operations**

Section 95(2) Certificate

Threatened Species Conservation Act 1995



Office of
Environment
& Heritage

Issued To:

Russell Fletcher
St Michaels Golf Club
PO Box 375
MAROUBRA NSW 2035

Certificate no. : C0000193
Issue Date:
Expiry date: 1 March 2019

I certify that the Proposed Action as described below is not likely to significantly affect threatened species, populations, ecological communities 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*.

DESCRIPTION OF PROPOSED ACTION

The proposed action:

- A. Ecological restoration activities within Eastern Suburbs Banksia Scrub (ESBS) as described in your licence application signed 11/12/13.
- B. Selective control of ESBS remnants to ensure appropriate maintenance of golf course layout, in-play areas and aesthetic, as described in your licence application signed 11/12/13.

RELEVANT CONDITIONS

The holder of the certificate must ensure that:

1. The finalised Remnant Vegetation Management Plan (RVMP) for the golf course is to be submitted to OEHL within three months of the date of issue of this certificate.
2. All works as described in the licence application and RVMP must be carried out by an appropriately qualified and experienced bush regeneration company.
3. Staking of ESBS remnants is to be undertaken jointly by St Michael's and Narla staff.
4. St Michael's to prepare a draft 'tool box' talk for staff and provide a copy to OEHL for comment, within three months of the date of issue of this certificate.

Section 95(2) Certificate

Threatened Species Conservation Act 1995



Office of
Environment
& Heritage

5. Protection and management protocols for ESBS must be incorporated into St Michael's ground staff training and induction systems and procedures (including 'tool box talks').
6. St Michael's to review RVMP after five years, in conjunction with application for renewal of this certificate.

.....

DAVID TREWIN

Senior Manager, Greater Sydney

Regional Operations

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.