

Section 95(2) Certificate

Threatened Species Conservation Act 1995



Office of
Environment
& Heritage

Issued To:

Mr Edgar Freimanis

ECOHORT PTY LTD

PO Box 238

CASTLE HILL, NSW 1765

Certificate no. : C0000327
Issue Date: 16/04/2014
Expiry date: 16/06/2017

I understand that a licence application has been submitted for the picking/harming of Eastern Suburbs Banksia Scrub (ESBS) for the purposes of bush regeneration (staged weed removal, manual soil disturbance, planting outside of the remnant etc.), pest control, rubbish removal and education programs for bush care groups e.g. landcare and/or students under the supervision of a qualified bush regenerator to assist with the rehabilitation of the site as part of the offset strategy for the NSW Golf Course development and as described in the conditions below and in the supplementary documentation to the Section 91 application. I certify that the picking/harming of ESBS for these purposes, is unlikely to significantly affect threatened species, populations, ecological communities or their habitats and consequently the proposal does not require a licence under the *Threatened Species Conservation Act, 1995* pursuant to Section 95(2).

This certificate is a defence against prosecution under sections 118A-D of the *National Parks and Wildlife Act 1974*.

Relevant Conditions

In order to minimise harm to the ESBS remnant on site, this certificate is issued subject to the certificate holder ensuring the following conditions are implemented:

1. Spot herbicide spray of any kind will not be allowed within the management zone 1 or 2 which are considered to be of the highest conservation value for the site given the presence of remnant ESBS. This condition applies irrespective of the percentage cover of weeds within these management zones.
2. All bush regeneration within management zone 1 and 2 will need to be undertaken using manual hand techniques (i.e. no herbicides) in relation to herbaceous, monocot and all other non-woody species, such as African Love Grass (*Eragrostis curvula*). All woody weeds must be dealt with using a cut and paint technique with the appropriate herbicide.

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3. In management zone 2 areas, which have some residual native shrubs interspersed with Bitou bush (*Chrysanthemoides monilifera*), Lantana (*Lantana camara*) and other noxious weeds located on steep dune slopes, only understorey weeds such as African Love grass should be removed during the first stage of weeding and the overstorey weeds such as Lantana should be trimmed to maintain some shade over the remnant native shrubs. Overstorey weeds should only be removed in the second stages of clearing and once native shrubs have begun to establish.
4. No mulch materials are to be imported to the site under any circumstances, as this would not be in accordance with the best practice guidelines for ESBS.
5. The removal of non-woody weeds within management zones 1 and 2 using manual hand techniques is recommended to also act as a soil disturbance measure, to assist with regeneration of soil seed bank species.
6. Once weeds are removed from the soil they must not be piled within or on the edge of the ESBS patches (i.e. not within management zone 1 or 2). As best practice it is highly recommended that all waste materials from weeding are removed from site or piled away from ESBS remnant patches and covered with appropriate black plastic sheeting to prevent the spread of seeds and weed re-invasion.
7. No planting is to be undertaken within management zone 1 or 2 for the first two years of the bush regeneration. Planting of ESBS native species is recommended in areas outside of the remnant once weeds have been removed. If no native regeneration has occurred within management zone 1 or 2 at the end of the first two years, planting within these zones of native ESBS may be necessary, however appropriate advice from OEH staff is recommended prior to this being undertaken.
8. At six months from the date of commencement of bush regeneration works on site, OEH must be contacted to arrange a site inspection so that compliance with the certificate and these conditions can be audited. The OEH contact officer's details are listed at the end of this letter.
9. OEH agrees that ecological pile burns may be beneficial for stimulating soil seed bank regeneration, but is unsure whether this would be permissible within school grounds. Advice should be sought from the local fire service centre and the EPA regarding approvals for ecological burns. If burns are to be undertaken a Fire Management Plan would be required as a condition of separate Section 91 licence application for the burns along with an 'Open Burn Approval' application from EPA. Burning of waste weed materials is not advisable for this purpose.
11. It is recommended that the soil is tested for the presence of asbestos prior to students or bush care groups undertaking education programs within the ESBS remnant. Small fragments on the soil surface, suspected to be asbestos, were sighted by OEH during a site visit.
12. All activities must be undertaken in accordance with the best practice guidelines for ESBS. Only works identified within the Supplementary report to the licence application, that are supportive and aligned with the guidelines and these conditions of consent, can be undertaken within the remnant ESBS at the school (i.e. within the management zones 1 and 2).

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If you require any advice or have any questions regarding these conditions please contact Melina Budden on 02 9995 6813.

DAVID TREWIN

Regional Manager, Greater Sydney

Regional Operations