

Our reference : DOC13/93336  
Contact : Gus Porter 9995-6805

Glen Watts  
Body Corporate,  
[REDACTED],  
MANLY NSW 2095

Dear Mr Watts

**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 trimming dead or dying palm fronds from two large palm trees over critical habitat, received by the Office of Environment and Heritage (OEH) on 10 December 2013.

I have considered the application and supporting information provided. I am satisfied that the impact of the activities as described in your application will be trivial, and as a result I dispense with the need for a species impact statement, in accordance with section 111(4) of the TSC Act. Furthermore I consider 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 Gus Porter on 9995 - 6805.

Yours sincerely

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**LOU EWINS**

**A/Senior Manager Greater Sydney**

**Regional Operations Group**

# Section 95(2) Certificate

Threatened Species Conservation Act 1995



Office of  
Environment  
& Heritage

## Issued To:

Glen Watts

Body Corporate

[REDACTED]

[REDACTED],

MANLY NSW 2095

**Certificate no. :** C0000185

**Issue Date:**

**Expiry date:** 30 May 2017

## DESCRIPTION OF PROPOSED ACTION

The proposed action:

- A. Access critical habitat area B to trim dead and dying palm fronds from two large palm trees at the rear of [REDACTED], Manly.
- B. Remove trimmed palm fronds from critical habitat area B.

## RELEVANT CONDITIONS

The holder of the certificate must ensure that:

1. The works are to be carried out in accordance with your licence application signed 10 December 2013.
2. The works are to be carried out only during the months of **March – May** of any year (ie. outside of Little Penguin breeding season).
3. All palm fronds are to be promptly removed from critical habitat after they are trimmed.
4. No vegetation other than the trimmed palm fronds is to be harmed, cut, trimmed, altered or removed from critical habitat.

I certify that the activities described in the application dated 10 December 2013, have been determined under Section 94(2) of the *Threatened Species Conservation Act 1995* as unlikely to significantly affect threatened species, populations, ecological communities or their habitats. Consequently the proposal does not require a licence under the *Threatened Species Conservation Act, 1995* pursuant to Section 95(2).

Certificate No.: C0000185

Application Ref No. A20132-2013

Printed: 9:39:56 AM 22/01/2014

# Section 95(2) Certificate

Threatened Species Conservation Act 1995



Office of  
Environment  
& Heritage

If the activities are carried out as described and in accordance with any conditions, this certificate provides a defence against prosecution under sections 118A-D of the *National Parks and Wildlife Act 1974*.

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**LOU EWINS**

**A/Senior Manager Greater Sydney**

**Regional Operations Group**

Office of Environment and Heritage, Department of Premier and Cabinet

## 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.