Application for a

NSW GOVERNMENT | 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)*	Employees of Ausgrid undertaking or managing routine maintenance activities as specified in this licence application.	
2. Australian Business Number (ABN):	67 505 337 385	
3. Organisation name and position of applicant ^: *(if applicable)*	Ausgrid C/- James Hart – Manager, Environmental Services	
4. Postal address ^:	570 George Street Sydney NSW 2000	Telephone: B.H. 02 9394 6659 A.H. [redacted]
5. Location of the action *(including grid reference and local government area and delineated on a map).*	Ausgrid's Supply Area within the following 30 local government areas (LGAs): Ashfield, Auburn, Bankstown, Botany Bay, Burwood, Canterbury, Canada Bay, Hornsby, Hunters Hill, Hurstville, Kogarah, Kur-ing-gai, Lane Cove, Leichhardt, Manly, Marrickville, Mosman, Newcastle, North Sydney, Pittwater, Randwick, Rockdale, Ryde, Strathfield, SutherlandShire, SydneyCity, Warringah, Waverley, Willoughby, Woollahra. Please see attached Figures.	
6. Full description of the action and its purpose *(e.g. environmental assessment, development, etc.)*	The action covered by this application is Ausgrid's essential service and legal obligation to maintain minimum vegetation clearances from its network assets and associated infrastructure. Ausgrid has an obligation under the *Electricity Supply Act 1995* (ES Act) to maintain minimum vegetation clearances from its network assets and associated infrastructure. Under clause 22 of the *Native*	

* 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.

	Vegetation Act 2003 (NV Act) clearing of native vegetation is permitted to maintain minimum vegetation clearances for public utilities. Part 3, Schedule 1 of the NV Act however, unintentionally excludes the LGAs listed above in Question 5 from this provision. The action proposed by Ausgrid is the same as that currently exempt under S118G of the *National Parks and Wildlife Act 1974* (NPW Act) for both Essential Energy and Endeavour Energy. Further, the same action has been occurring repeatedly at these locations over time and hence there will be no net increase in trimming as a result of the proposed works. The purpose of this application is to: • allow Ausgrid to meet its obligations under the ES Act • continue to ensure public safety • continue to minimise bushfire risk • provide a consistent approach across NSW for Ausgrid, Endeavour Energy and Essential Energy • provide greater legal certainty for Ausgrid in undertaking the action. Ausgrid's vegetation maintenance works include: • exempt development described in clause 43 (e) and (k) of SEPP (Infrastructure) 2007, that complies with clause 20 (2) of the SEPP, except where the works are on critical habitat or in a wilderness area • managing vegetation to maintain safety and trimming clearances in accordance with Industry Safety Steering Committee (ISSC) 3 – December 2005 *"Guideline For Managing Vegetation Near Power Lines"*, published by the Department Of Energy, Utilities and Sustainability.
7. Details of the area to be affected by the action *(in hectares).*	The area to be affected by the action comprises all land occupied by existing overhead powerlines and access tracks within Ausgrid's supply area within the following 30 LGAs: Ashfield, Auburn, Bankstown, Botany Bay, Burwood, Canterbury, Canada Bay, Hornsby, Hunters Hill, Hurstville, Kogarah, Kur-ing-gai, Lane Cove, Leichhardt, Manly, Marrickville, Mosman, Newcastle, North Sydney, Pittwater, Randwick, Rockdale, Ryde, Strathfield, SutherlandShire, SydneyCity, Warringah, Waverley, Willoughby, Woollahra. Within this area there are approximately 2,720km of Ausgrid linear infrastructure comprising the following: • 254km of access tracks • 1583km of overhead 11KV powerline • 388km of overhead 33kV powerline • 32km of overhead 66kV powerline and • 463km of overhead 132kV powerline. Varying degrees of vegetation maintenance is required to be undertaken around these infrastructure items in accordance with ISSC 3 – December 2005 *"Guideline For Managing Vegetation Near Power Lines"*, published by the Department Of Energy, Utilities and Sustainability.

8. Duration and timing of the action *(including staging, if any).*	The actions will be undertaken on an 'as needs' basis, throughout the entire duration of the Section 91 licence period.
9. Is the action to occur on land declared as critical habitat*? *(tick appropriate box)*	☐ Yes ☒ No

10. Threatened species, populations or ecological communities to be harmed or picked.	Scientific name	Common name *(if known)*	Conservation status *(i.e. critically endangered, endangered or vulnerable)*	Details of no. of individual animals, or proportion and type of plant material *(e.g. fertile branchlets for herbarium specimens or whole plants or plant parts)*
	Potentially all threatened species populations or communities within a subject area calculated as comprising a 5km buffer around all of the existing overhead powerlines and access tracks within Ausgrid's supply area within the previously identified 30 LGAs.	As per previous column.	Varying conservation status.	According to NSW Wildlife Atlas records, this could potentially include: • 108 individual threatened fauna species; • 117 individual threatened flora species; • 7 endangered fauna populations; • 4 endangered flora populations; and • 29 endangered

* Critical habitat means habitat declared as critical habitat under Part 3 of the *Threatened Species Conservation Act 1995.*

				ecological communities.

11. Species impact: *(please tick appropriate box)* a) For action proposed on land declared as critical habtat; or b) For action proposed on land <u>not</u> declared as critical habitat.	an SIS is attached	☐ Yes	☒ No
	Items 12 to 25 have been addressed	☒ Yes	☐ No

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.

12. Describe the type and condition of habitats in and adjacent to the land to be affected by the action.	Variable. Affected habitat ranges from urban areas to forested areas. The total area of the 30 LGA's to which this application applies is approximately 1,812km^2. According to NSW Rural Fire Service data, within that same area there are 718km^2 (40%) of Category 1 (forests, woodlands, heathlands, pine plantations and wetlands) and Category 2 (grasslands, scrublands, rainforests, open woodlands and mallee) vegetation which would be considered the highest quality habitat. Conversely then, 60% of the same area comprises non-bushfire prone or urban land of much lower potential habitat value. Only 17% of Ausgrid's linear infrastructure within the 30 LGAs is located within the highest quality habitat areas.
13. Provide details of any known records of a threatened species in the same or similar known habitats in the locality *(include reference sources).*	For the purposes of the threatened species assessment, the subject area has been calculated as comprising a 5km buffer around all of the existing overhead powerlines and access tracks within Ausgrid's supply area within the previously identified 30 LGAs. Within this subject area, the Office of Environment and Heritage (OEH) Atlas of NSW Wildlife Database indicates 7,268 past records of 108 individual threatened fauna species and 31,489 past records of 117 individual threatened flora species.
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).*	According to NSW Rural Fire Service data, approximately 40% (718km^2) of the total area of the 30 LGAs (1,812km^2) to which this application applies comprises Category 1 (forests, woodlands, heathlands, pine plantations and wetlands) or Category 2 (grasslands, scrublands, rainforests, open woodlands and mallee) vegetation which could be considered high quality potential habitat for threatened species. Conversely then, 60% of that same area comprises non-vegetated or urban land of much lower potential habitat value. Only 17% of Ausgrid's linear infrastructure within the 30 LGAs is located within the highest quality habitat areas.
15. Provide details of the	A breakdown of the distribution of the existing infrastructure within each of the above established habitat types is shown below. As can

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.	be seen, by far the greatest amounts of habitat to be affected by the proposed action are those of the lowest habitat value from the urban areas. Overall 83% of Ausgrid's linear infrastructure within the 30 LGAs is located within areas of the lowest quality habitat (urban areas) in the amounts outlined below. Urban Areas 141km access tracks (55%) 1440km overhead 11KV powerline (91%) 332km overhead 33kV powerline (86%) 31km overhead 66kV powerline (97%) 300km overhead 132kV powerline (65%) High Quality Habitat Areas 113km access tracks (45%) 143km overhead 11KV powerline (9%) 56km overhead 33kV powerline (14%) 1km overhead 66kV powerline (3%) 163km overhead 132kV powerline (35%) Where vegetation safety clearance maintenance trimming is required for bare and covered conductors, poles and attachments, it shall be undertaken in accordance with the requirements of ISSC 3 – December 2005 *"Guideline For Managing Vegetation Near Power Lines"*, published by the Department Of Energy, Utilities and Sustainability.
16. Provide an assessment of the likely nature and intensity of the effect of the action on the lifecycle and habitat of the species.	Ausgrid has an obligation under the ES Act to maintain minimum vegetation clearances from its network assets and associated infrastructure. The proposed vegetation maintenance trimming is the same action has been occurring repeatedly at these locations over time and hence there will be no net increase in trimming as a result of the proposed works. The trimming to which this license application is applicable is the exact same method of trimming which occurs in those areas outside of the aforementioned application subject area, where the NV Act permits the clearing of native vegetation to maintain minimum vegetation clearances for public utilities. Given that the proposed vegetation maintenance trimming will not be occurring beyond the historical extents of vegetation maintenance practices, the likely nature and intensity of the effect of the action on the lifecycle and habitat of any species is expected to be negligible at best.
17. Provide details of possible measures to avoid or ameliorate the effect of the action.	Vegetation maintenance will be kept to a minimum in accordance with ISSC 3 – December 2005 *"Guideline For Managing Vegetation Near Power Lines"*, published by the Department Of Energy, Utilities and Sustainability. The proposed vegetation maintenance trimming is the same action has been occurring repeatedly at these locations over time and hence there will be no net increase in trimming as a result of the proposed works. Trimming of vegetation at growth points and branch collars will be conducted in accordance with the principles of Australian Standard AS 4373-2007 – Pruning of Amenity Trees.

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.

18. In the case of a	For the purposes of this question, the subject area has been calculated as comprising a 5km buffer around all of the existing

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.	overhead powerlines and access tracks within Ausgrid's supply area within the previously identified 30 LGAs. Within this subject area, the OEH Atlas of NSW Wildlife Database indicates 7,268 past records of 108 individual threatened fauna species and 31,489 past records of 117 individual threatened flora species. Whilst it is likely that within this subject area that there would be instances where the proposed vegetation trimming would be directly affecting some threatened flora species, it is likely that only potential foraging habitat for threatened fauna species would be affected, not any individual threatened fauna species themselves, and hence no viable local population of a threatened fauna species is likely to be placed at risk of extinction. Given that the proposed action will have been operating at any given confluence point between an individual threatened flora species and the electricity network for an extended period of time into the past and that the species is persisting, is evidence that the proposed action is not leading to the extinction of a local population of that species. Provided that the proposed action does not go beyond the recognised historical extent of clearing required to protect the particular piece of infrastructure, then there will be no net negative impact upon the local population of any species arising from this ongoing maintenance. Alternatively, if the maintenance is not continued then there is always the very real possibility that unmanaged vegetation could trigger more frequent bushfires which could lead to the extinction of a local population of a threatened flora or indeed fauna species.
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.	For the purposes of this question, the subject area has been calculated as comprising a 5km buffer around all of the existing overhead powerlines and access tracks within Ausgrid's supply area within the previously identified 30 LGAs. Seven endangered fauna populations and four endangered flora populations have been identified as occurring within this subject area, they being: FAUNA • Gang-gang Cockatoo population in the Hornsby and Ku-ring-gai LGAs • Koala in the Pittwater LGA • Little Penguin population in the Manly Point area. • Long-nosed Bandicoot population in inner western Sydney • Long-nosed Bandicoot population, North Head • Squirrel Glider on Barrenjoey Peninsula, north of Bushrangers Hill • White-fronted Chat *Epthianura albifrons* population in the Sydney Metropolitan Catchment Management Authority area FLORA • *Acacia prominens* (Gosford wattle) population, Hurstville and Kogarah LGA's • *Marsdenia viridiflora* R. Br subsp. *viridiflora* in the Bankstown, Blacktown, Camden, Campbelltown, Fairfield, Holroyd, Liverpool and Penrith LGAs • *Pomaderris prunifolia* (a shrub) population, Parramatta, Auburn, Strathfield and Bankstown LGA's • *Wahlenbergia multicaulis* (Tadgell's Bluebell) population, Auburn, Bankstown, Strathfield and Canterbury LGA's Provided that the proposed action does not go beyond the recognised historical extent of clearing required to protect that

	particular piece of infrastructure, then there will be no net negative impact upon any endangered populations arising from this ongoing vegetation maintenance clearing. Alternatively, if the maintenance is not continued then there is always the very real possibility that unmanaged vegetation could trigger more frequent bushfires which could lead to the extinction of an endangered population.
20. In the case of an endangered ecological community or critically endangered ecological community, whether the action proposed: (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 (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.	For the purposes of this question, the subject area has been calculated as comprising the previously identified 30 LGAs. Within this subject area (1812 km^2), 29 endangered ecological communities (EEC) are known to occur, covering a total area of approximately 109km^2 or 6% of the subject area. Overall, 127km (or approximately 5%) of Ausgrid's linear infrastructure within the 30 LGA's is located within areas constituting EEC in the amounts outlined below. Infrastructure in EEC 14.8km access tracks 65.6km overhead 11KV powerline 13km overhead 33kV powerline 0.3km overhead 66kV powerline 33.3km overhead 132kV powerline Further investigation revealed that Ausgrid has linear infrastructure elements within 19 of the 29 EEC's within the subject area, in the lengths outlined below. N.B. **EEC** — **LENGTH** Bangalay Sand Forest — 0.1km Sydney Freshwater Wetlands — 0.3km Southern Sydney Sheltered Forest on Transitional Sandstone Soil — 0.4km Shale Gravel Transition Forest — 0.6km Littoral Rainforest — 0.7km Lower Hunter Spotted Gum - Ironbark Forest — 0.9km Coastal Upland Swamp — 2.6km River-Flat Eucalypt Forest on Coastal Floodplains — 2.7km Swamp Sclerophyll Forest on Coastal Floodplains — 2.9km Cumberland Plain Woodland — 3.5km Shale/Sandstone Transition Forest — 4.4km Freshwater Wetlands on Coastal Floodplains — 5.0km Duffys Forest Ecological Community — 6.8km Kurnell Dune Forest — 7.1km Cooks River/Castlereagh Ironbark Forest — 7.2km Coastal Saltmarsh — 8.0km Swamp Oak Floodplain Forest — 8.1km Blue Gum High Forest — 11.9km Sydney Turpentine - Ironbark Forest — 53.8km **TOTAL** — **127km** Given that the action proposed will have been operating at any given confluence point between an EEC and the existing electricity network for an extended period of time into the past, and that the EEC is persisting, is evidence that the proposed action is not affecting the extent or composition of the community such that a local occurrence of the community would be likely to be placed at risk of extinction. Provided that the proposed action does not go beyond the recognised historical extent of clearing required to protect the particular piece of infrastructure, then there will be no net negative impact upon the local occurrence of an EEC arising from this ongoing maintenance. Alternatively, if the maintenance is not continued then there is always the very real possibility that unmanaged vegetation could trigger more frequent bushfires which may place a local occurrence of an EEC at risk of extinction.

21. In relation to the habitat of a threatened species, population or ecological community: (i) the extent to which habitat is likely to be removed or modified as a result of the action proposed, and (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 (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.	The extent to which habitat is likely to be removed or modified as a result of the action proposed has been shown at Question 15 to constitute the following. Urban Areas 141km access tracks (55%) 1440km overhead 11KV powerline (91%) 332km overhead 33kV powerline (86%) 31km overhead 66kV powerline (97%) 300km overhead 132kV powerline (65%) High Quality Habitat Areas 113km access tracks (45%) 143km overhead 11KV powerline (9%) 56km overhead 33kV powerline (14%) 1km overhead 66kV powerline (3%) 163km overhead 132kV powerline (35%) Where vegetation safety clearance maintenance trimming is required for bare and covered conductors, poles and attachments, it shall be undertaken in accordance with the requirements of ISSC 3 – December 2005 *"Guideline For Managing Vegetation Near Power Lines"*, published by the Department Of Energy, Utilities and Sustainability. This document will determine the ultimate extent of habitat removal. It is considered unlikely that an area of habitat would become fragmented or isolated from other areas of habitat as a result of the proposed action. The proposed action has been operating for an extended period of time into the past, and hence every round of vegetation maintenance clearing merely constitutes the re-trimming of vegetation which has regrown since the previous maintenance round. Hence, provided that the proposed action does not go beyond the recognised statutory historical extent of clearing required to protect the particular piece of infrastructure, then there is no net loss in habitat over time and hence no areas of habitat become fragmented or isolated from other areas of habitat. As outlined above, by far the majority of the habitat to be affected by the proposed action lies within urban areas where habitat value would potentially be lowest. Furthermore, given that the proposed vegetation maintenance trimming has occurred at regular intervals in the past, it would be unlikely that any potentially occurring species, population or ecological community in the locality would be dependent upon these regularly trimmed components for its long-term survival.
22. Whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly).	Cabbage Tree Island off Port Stephens (habitat for Gould's Petrel), 1% of Wollemi National Park (habitat for the Wollemi Pine), Stott's Island in the Tweed River (habitat for the endangered Mitchell's Rainforest Snail) and Sydney's North Harbour (habitat for the endangered Little Penguin) are the only critical habitats currently declared final on the Register of critical habitat in NSW. under the *Threatened Species Conservation Act 1995* (TSC Act). Two other critical habitat recommendations are currently listed as pending finalisation, they being Bomaderry Zieria within the Bomaderry bushland and Eastern Suburbs Banksia Scrub (ESBS) Endangered Ecological Community. The proposed works will not affect any declared critical habitat.

	With regards to ESBS, patches of this community occur around the Ausgrid Bunnerong substation on Military Road, Matraville NSW 2306. On certain parts of this site, vegetation needs to be kept slashed for maintenance, safety and security purposes; this includes a 1-2m strip around the outside of each substation security fence, a 0.5m strip either side of the covered cable chase located between the substations, a 2-3m clearance for the access track to this cable chase and the required safety clearances to overhead high voltage lines. A site specific management plan for the ESBS at this site has been prepared which strikes a balance between the required vegetation maintenance and the need for recovery and protection of the ESBS. The main measures through which this has been achieved is by construction of a low impact fence clearly demarcating the ESBS/buffer area and adjacent infrastructure maintenance areas, the placement of clearly worded signs at selected locations around the site indicating that contact is made with Ausgrid Environmental Services before staff or contractors commence works. Given these measures, the proposed action would be unlikely to have an adverse effect on ESBS.
23. Whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan.	Recovery plans have been prepared (or are pending finalisation) for 15 threatened fauna species, 12 threatened flora species, 3 endangered ecological communities and one endangered population regarded as subject species for the purposes of this application, although not all of these plans contain objectives or actions which relate directly to the proposed action. Objective 9 and Action 8 of the recovery plan for *Pteropus poliocephalus* (Grey-headed Flying-fox) both aim to assess and reduce the impact on Grey-headed Flying-foxes of electrocution on powerlines and entanglement in netting and on barbed-wire. Given that the proposed action is the ongoing maintenance of existing infrastructure then it would not be seen as being inconsistent with these recovery objectives and actions. Action 2.6 of the recovery plan for *Petaurus australis* (Yellow-bellied Glider) calls for the National Parks and Wildlife Service (NPWS) to liaise with relevant government agencies and utility providers to ensure that appropriate consideration is given to the isolation of Yellow-bellied Glider habitat in design of roads, easement corridors and other linear clearings (including access and maintenance trails). Given that the proposed action is the ongoing maintenance of existing infrastructure then it would not be seen as being inconsistent with this recovery action. Action 9.2.1 of the recovery plan for *Grevillea caleyi* requires the recovery team to inform all managers and owners of land where *G. caleyi* occurs and acknowledges that there still needs to be liaison with EnergyAustralia (now Ausgrid) to inform them of site specific considerations for when carrying out maintenance work Three specific EnergyAustralia (now Ausgrid) sites are outlined. The proposed action would be consistent with this recovery action by ensuring that *G.caleyi* is considered in the planning and implementation of maintenance activities within such areas. Action 12.3.2 of the recovery plan for *Darwinia biflora* states that

	easement maintenance activities will not affect the long term survival of *D.biflora*, although only Transgrid is mentioned specifically. The proposed action would be consistent with this recovery action by ensuring that *D.biflora* is considered in the planning and implementation of maintenance activities within such areas. Action 4.1 of the recovery plan for *Melaleuca deanei* states that the DECCW (now OEH) will liaise with relevant authorities to ensure that operational staff working within easements, walking tracks and fire trails are aware of *M.deanei* populations and minimise the impacts of their activities on this species. It is further stated that for the purpose of this action 'relevant authorities' are Sydney Catchment Authority, Department of Defence and the local governments of Baulkham Hills, Blue Mountains, Ku-ring-gai, Ryde, and Sutherland. Whilst Ausgrid may not be a 'relevant authority', the proposed action would be consistent with this recovery action by ensuring that *M.deanei* is considered in the planning and implementation of maintenance activities within such areas. Action 9.3.3 of the recovery plan for ESBS states that EnergyAustralia (now Ausgrid) will develop and implement a site specific management plan for areas of ESBS site under their management. The proposed action is not inconsistent with this recovery action. Action 4.3 of the Kurri Sand Swamp Woodland (KSSW) recovery plan states that DECC (now OEH) will liaise with selected landholders/managers of private land supporting KSSW, including EnergyAustralia (now Ausgrid), to facilitate the implementation of appropriate threat abatement measures. The proposed action is not inconsistent with this recovery action. Three threat abatement plans have been prepared and approved in accordance with Part 5 of the NSW TSC Act. Given that the proposed action will not encourage increased predation by *Vulpes vulpes* (Red Fox) on native fauna species, contribute to the invasion of native plant communities by *Chrysanthemoides monilifera* (Bitou Bush) nor encourage increased predation by *Gambusia holbrooki* (Plague Minnow) then the proposed action is not inconsistent with any threat abatement plans.
24. Whether the action 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.	There are 36 currently listed Key Threatening Processes (as at November 2012) "Clearing of native vegetation" is considered the most likely key threatening process relevant to the proposed action. The final determination to list "Clearing of native vegetation" as a key threatening process on Schedule 3 of the NSW TSC Act defines "clearing" as the destruction of a sufficient proportion of one or more strata (layers) within a stand or stands of native vegetation so as to result in the loss, or long term modification, of the structure, composition and ecological function of stand or stands. It is unlikely that the proposed maintenance trimming would satisfy this definition, given that the same trimming as that proposed has been carried out at regular intervals in the past at all proposed locations. Subsequent and future maintenance trimming is merely maintaining the current structure, composition and ecological function of the vegetation in

	question, as opposed to causing it a loss or long term modification. Hence the proposed action would be unlikely to result in the operation of, or increase the impact of, this or any other key threatening process.

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 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

* 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.*

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/S91TscaRegisterByDate.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.

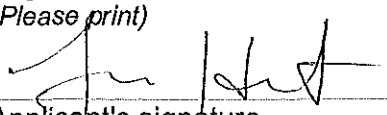
I confirm that the information contained in this application is correct. I hereby apply for a licence under the provisions of Section 91 of the *Threatened Species Conservation Act 1995.*

James Hart

Applicant's name
(Please print)

Manager – Environmental Services, Ausgrid

Applicant's Position &
Organisation *(if relevant)*
(Please print)



Applicant's signature

23-1-13

Date