

Application for a



## Section 91 Licence

to harm or pick a threatened species, population or ecological community\*, or damage habitat under the *Threatened Species Conservation Act 1995*.

1. Applicant's Name:  
(if additional persons  
require authorisation by  
this licence, please  
attach details of names  
and addresses)

2. Organisation name  
and position of  
Applicant:  
(if applicable)

3. Postal address:

5. Location of the action (including grid reference and local government area and delineated on a map).	Comprising Lot 1, DP 807460 & Lot 2 DP 807461 which fronts Zouch Road, Ingleburn in Liverpool LGA and totals some 92.1 ha in area.
Full description of the action and its purpose (eg. scientific research, environmental assessment, regeneration activities, development etc.).	Management of Existing Blackberry Infestations on the Site. Management to include mulching / slashing and poisoning of Blackberry infestations
Details of the area to be affected by the action (in hectares).	Up to 1.8 ha

\* A threatened species, population or ecological community means a species, population or ecological community identified in either Schedule 1 or Schedule 2 of the *Threatened Species Conservation Act 1995*.



8. Duration and timing of the action (including staging, if any).	Initial treatment to be carried out over 1-2 weeks with follow up treatments of about 1-2 days duration as and when required for a period up to 12 months duration			
9. Is the action to occur on land declared as critical habitat? (please tick appropriate box)	Yes	No		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
10. Threatened species, populations or ecological communities to be harmed or picked.	<u>Scientific Name</u>	<u>Common Name</u> (if known)	<u>Conservation Status</u> (ie. endangered or vulnerable)	<u>Details of no. of individual animals, or proportion and type of plant material</u> (eg. fertile branchlets for herbarium specimens or whole plants or plant parts)
	<u>Cumberland Plain ( Grey Box) Woodland</u>	<u>Grey Box</u>	<i>Endangered Ecological Community</i>	<i>Exists as variable sized stands of woodland interspersed with grassy areas resulting from natural and man-made causes</i>
	<u>Eucalyptus moluccana &amp; Eucalyptus teriticornis (Myrtaceae)</u>	<u>Forest Red Gum</u>		
	<u>Meridolum corneovirens</u>	<u>Cumberland Land Snail</u>	<i>Endangered species</i>	<i>Identified sporadically over the Site</i>

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

11. Species impact:  
(please tick appropriate  
box)

a) For action proposed  
on land declared as  
critical habitat; or

☐

An SIS is attached (not applicable)

b) For action proposed  
on land not declared  
as critical habitat.

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Items 12 to 25 have been addressed. Please note that a preliminary flora and fauna study prepared by Trevor Hawkswood in 1999 lodged with previous application, subsequent Flora & Fauna Assessment by Ecological Australia Pty Ltd (2002) and Cumberland Land Snail Survey and Management Report prepared by Gunninah Environmental Consultants 2001 are appended as Attachment

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*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 not 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.

The majority of fauna species encountered during a preliminary flora and fauna survey undertaken in 1999, "were bird species, most of which did not appear to be breeding residents and most were common Sydney species, e.g. Kookaburras, Noisy Miners, Australian Mudlarks, etc.

Three frog species were encountered, viz *Limnodynastes peronii*, *Crinia* (*Ranidella*) *signifera* and *Uperoleia laevigata* (all *Myobatrachidae*): these species are common and widespread throughout the Sydney District and beyond". The site at Edmonson Park at the time of the survey was undertaken in March 1999, contained a number of pools of water and some flowing creeks of different sizes. The most common of these frogs was *Crinia signifera*. There appeared to be no suitable habitat for the Scheduled (under the TSC Act) red-crowned Toadlet (*Pseudophryne australis*) or the Giant Burrowing Frog (*Heleoporus australiacus*): these species are normally associated with sandstone (not shale) communities.

The site is also rather depauperate in reptile and mammal species. In a site this size and at the time of the investigation, the reptile fauna should have been found to be larger, but no reptile evidence of goannas or any other larger lizards such as skinks, eg blue-tongued lizard, *Tiliqua scincoides* (*Scincidae*) was obtained. Presumably the whole site, previously used by the Australian Army for exercises and cleared extensively before that, has been so badly disturbed by various human activities that the original fauna composition has been much reduced both in terms of population sizes and number of species. In addition, the influence of feral animals such as dogs and cats which prey extensively on ground fauna such as small and medium sized lizards and cats which prey on small birds, especially those in nests. Only the common lizard *Lampropholis delicata* (*Scincidae*) was observed at a number of localities over the study site.

It should be noted that report states that none of the fauna species are presently regarded as Vulnerable or Threatened under the Schedules of the NSW Threatened Species Conservation Act (1995). As such, it is most unlikely that there are any major fauna issues associated with the site, at least as it relates to amphibians, reptiles, birds and mammals.

Pages 22-23 – Preliminary Flora & Fauna Survey.

The Cumberland Land Snail Survey carried out in 2001 identified live specimens and shells within heavily wooded areas of the site and provides management strategies for minimising potential harm.

Assessment of habitat for threatened spp and communities has been addressed in more detail within question 14.

<p>13. Provide details of any known records of a threatened species in the same or similar known habitats in the locality (include reference sources).</p>	<p>As stated previously, the site contains remnants / regrowth now described as Cumberland Plain (Grey Box) Woodland.</p> <p>A review of the Atlas of NSW Wildlife maintained by the National Parks and Wildlife Services was undertaken by Eco Logical Australia Pty Ltd in 2002. The results of the review are detailed in Section 6.2.2 of the Draft Edmondson Park Flora and Fauna Assessment Report dated December 2002 previously provided in December 2004 as part of previous application.</p>
<p>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).</p>	<p>The site contains variable-sized stands of Grey Box Woodland separated by varying areas of grassland comprised mostly of exotic weeds and grasses, although there are vast tracts of grassland dominated by the native <i>Themeda australis</i> (Poaceae). The quality of the vegetation within these stands of Grey Box Woodland varies immensely. There are mature stands in the western areas and younger stands in the eastern area closer to habitation. Generally the more mature and less disturbed vegetation pocket, the more species of plant it contains. The stands are mostly dominated by <i>Eucalyptus moluccana</i> and <i>Eucalyptus tereticornis</i> (Myrtaceae). Some regrowth of these species was also observed. A considerable number of native species of herbs and shrubs were found within the stand of woodland...described as follows. <i>Brunoniella australis</i> (Acanthaceae), <i>Alternanthera denticulata</i> (Amaranthaceae), <i>Helichrysum scorpioides</i> (Asteraceae), <i>Atriplex semibaccata</i>, <i>Elnadia hastata</i> &amp; <i>Elnadia trigonos</i>, <i>Casuarina glauca</i> (Casuarinaceae), <i>Casuarina torulosa</i>, <i>Hibbertia diffusa</i> (Dilleniaceae), <i>Elatine gratioloides</i> (Elatinaceae), <i>Phyllanthus virgatus</i> (Euphorbiaceae), <i>Zornia dictyocarpa</i> &amp; <i>Lotus australis</i>, <i>Bossiaea prostrata</i>, <i>Dillwynia sieberi</i> (Fabaceae), <i>Goodenia paniculata</i> (Goodeniaceae), <i>Elaeocharis cylindrostachys</i> (Cyperaceae), <i>Philydrum languinosum</i> (Philyridaceae) &amp; <i>Persicaria hydropiper</i> (Polygonaceae), <i>Asperula conferta</i> (Rubiaceae), <i>Mentha saturojoides</i> (Lamiaceae).</p> <p>Searches were undertaken to target the Vulnerable species <i>Pultenaea parviflora</i> (Fabaceae) as well as <i>Dillwynia tenuifolia</i> (Fabaceae) but the survey failed to locate these on the study site.</p>
<p>15. Provide details of the 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 and the region.</p>	<p>Nil. The work to be carried out is not within the areas identified on the site as being critical habitat (Cumberland Woodland) and is therefore unlikely to impact the Cumberland Land Snail.</p>

16. Provide an assessment of the likely nature and intensity of the effect of the action on the lifecycle and habitat of the species.	The proposed site activities are down gradient of the identified Cumberland Woodlands and areas of known Cumberland Land Snail and therefore are unlikely to adversely impact on the endangered species or the life cycle of the Land Snail.
17. Provide details of possible measures to avoid or ameliorate the effect of the action.	To avoid or ameliorate the effect of the proposed site activities within the constraints imposed by the need to protect the Cumberland Plain (Grey Box) Woodland and Land Snail, the Contractor has prepare a work method statement (attached). The plan has been prepared by a qualified Ecologist and details the proposed work to be undertaken and the constraints and actions to be taken during site works.

*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 25. Information addressing any of the questions below must be attached to the application.*

18. In the case of a threatened species, whether the life cycle of the species is likely to be disrupted such that a viable local population of the species is likely to be placed at risk of extinction.	The proposed site activities have been assessed to have little to no impact on the life cycle of the Cumberland Land Snail.
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19. In the case of an endangered population, whether the lifecycle of the species that constitutes the endangered population is likely to be disrupted such that the viability of the population is likely to be significantly compromised.	The proposed site activities are unlikely to disrupt the viability of the Cumberland Land Snail.
20. In relation to the regional distribution of the habitat of a threatened species, population or ecological community, whether a significant area of known habitat is to be modified or removed.	Not applicable.
21. Whether an area of known habitat is likely to become isolated from currently interconnecting or proximate areas of habitat for a threatened species, population or ecological community.	Operation is not likely to isolate flora species. The processes associated with the unexploded ordnance investigations are not considered to lead to the isolation of known habitat given that minimal interference will be caused to those habitats.
22. Whether critical habitat will be affected.	Not applicable.
23. Whether a threatened species, population or ecological community, or their habitats, are adequately represented in conservation reserves (or other similar protected areas) in the region.	The Cumberland Woodland areas and Land Snail have been identified within parts of the proposed conservation area and within general area and have been adequately assessed and process implemented for the continued management and protection.



<p>24. Whether the development or activity proposed is of a class of development or activity that is recognised as a threatening process.</p>	<p>The proposed management of Blackberry Infestations is not considered a key threatening process (Schedule 3 of TSCA) to the Cumberland Plain (Grey Box) Woodland or the Cumberland Land Snail. However, on the basis of the work undertaken as part of the draft preliminary Recovery Plan for the Cumberland Plain Woodland, slashing/mowing has been identified as a threatening process.</p>
<p>25. Whether any threatened species, population or ecological community is at the limit of its known distribution.</p>	<p>No. The Cumberland Plain Woodland community has been reported as occurring in the Local Government Areas of Auburn, Bankstown, Baulkham Hills, Blacktown, Camden, Campbelltown, Fairfield, Hawkesbury, Holroyd, Liverpool, Parramatta, Penrith and Wollondilly.</p>

## **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 NPWS 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 and 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**

Prior to the preparation of a SIS, a request for Director-General's requirements must be forwarded to the relevant NPWS Zone 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 National Parks and Wildlife.

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\* 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*.