

Licence application 5072

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)	Please see below.
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).	Madison Square Stock Reserve Conargo Road North of Deniliquin MR 552 Deniliquin Council LGA
6. Full description of the action and its purpose (eg. scientific research, environmental assessment, regeneration activities,	The Madison Square Stock Reserve is the site of the annual Deni - Play on the Plains Festival held over the NSW Labor Day Long Weekend. Please find

* 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*.

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

11. Species impact: <i>(please tick appropriate box)</i>	<input type="checkbox"/>			
a) For action proposed on land declared as critical habitat; or	<input type="checkbox"/>	An SIS is attached		
b) For action proposed on land <u>not</u> declared as critical habitat.		Items 12 to 25 have been addressed		

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 site comprises Plains-wanderer habitat of varying condition, grassland with occasional chenopods and lignum, intact Black Box woodland and scattered Boree Woodland that may be part of the listed Endangered Ecological Community. Some areas are weedy but most areas on the site relatively high quality. The areas where development will occur are already disturbed from vehicles and stock or are existing roads that require top-dressing.
13. Provide details of any known records of a threatened species in the same or similar known habitats in the locality <i>(include reference</i>	There are no known records of threatened species on the site. However, there are scattered Boree trees which may be

<i>sources).</i>	part of the EEC but will not be affected by the activity.
14. Provide details of any known or potential habitat for a threatened species on the land to be affected by the action (<i>include reference sources</i>).	The site is known to contain Plains-wanderer habitat and potential habitat for Bush Stone-curlews and Superb Parrots
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.	The proposed activity will remove approx 0.05 ha of Plains-wanderer habitat that is already disturbed by vehicles, stock and irrigation infrastructure. The site is isolated from the main distribution of mapped Plains-wanderer habitat to the north and represents less than 0.000025% of mapped habitat.
16. Provide an assessment of the likely nature and intensity of the effect of the action on the lifecycle and habitat of the species.	It is considered that the action will not significantly affect the life cycle or the habitat of the Plains-wanderer given the small scale of the activity and that most of the habitat on the site will not be affected by the activity.
17. Provide details of possible measures to avoid or ameliorate the effect of the action.	The soil used to construct new and existing roads will be clean of exotic seeds that may cause weed infestation. A weed management strategy will be developed to ensure that weeds do not

	spread into Plains-wanderer habitat.
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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.	
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<p>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.</p>	<p>The patches of Plains-wanderer habitat found within the ute muster site have the potential to provide foraging habitat (R. Webster pers obs). The proposed works will destroy approximately 0.05ha which represents approximately 0.0025% of the habitat found on the site. The majority of the habitat to be destroyed has been previously disturbed by road establishment, fencing, vehicle movements and grazing and is therefore considered to be degraded.</p> <p>The habitat found on the site is also considered to be of lower value (i.e. the potential carrying capacity of the habitat for Plains-wanderers is reduced) as it is located within 2km of existing irrigation and some patches of habitat are within 200m of existing trees (Minutes of Plains-wanderer Recovery Team meeting of 5/9/2001).</p> <p>Due to the small area of habitat involved and the fact that it has previously been degraded and devalued due to its position in the landscape it is unlikely that there will be a significant impact on the lifecycle of the Plains-wanderer as a result of the destruction of habitat proposed.</p>
<p>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.</p>	<p>A total of 150 480ha of Plains-wanderer habitat has been identified within the Riverina Bioregion (NPWS 2002). This comprises 52 440ha of primary habitat and 98 040ha of secondary habitat. The ute muster site was not included within this regional mapping exercise. Therefore the additional 20ha identified on the site is not included in the regional totals and has not been split into primary and secondary habitat categories. The total area of habitat found on the site represents less than 0.00013% of all mapped habitat.</p> <p>The amount of habitat to be destroyed by the proposed works (0.05ha) has been previously disturbed and is devalued. It is therefore likely to provide only minimal habitat value to Plains-wanderers. The area of habitat destroyed corresponds to 0.0000003% of all regional habitat and 0.0025% of habitat identified on the site. Due to the small amount of habitat involved and its degraded/devalued nature it is unlikely that there will be a significant amount of habitat destroyed by the proposed works.</p>
<p>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.</p>	<p>The identified habitat on the ute muster site is currently isolated from the main distribution of Plains-wanderer habitat (approximately 40km to the north). Small fragments of habitat are found approximately 2km to the north and it is a further 10km before larger areas of interconnecting habitat are found.</p> <p>The proposed works will fragment already degraded/devalued habitat on the site but will not lead to any further loss of connectivity or isolation. Therefore it is unlikely that there will be a significant impact on habitat connectivity.</p>
<p>22. Whether critical habitat will be affected.</p>	<p>There will be no critical habitat affected by the proposal as there is no critical habitat listed for the Plains-wanderers on the Register of Critical Habitat.</p>

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.	<p>Plains-wanderer habitat is found within two National Parks within the Riverina Bioregion. Willandra National Park protects a small area of habitat on which fewer than 10 birds have been recorded during three different surveys (NPWS 2002). Willandra National Park is located at the northern end of the bioregion.</p> <p>Oolambeyan National Park is located within the central portion of the Riverina Bioregion and contains 1 897ha of Plains-wanderer habitat (Maher 1997). This corresponds to 1.3% of known habitat.</p> <p>Within the Draft Plains-wanderer Recovery Plan (2002) one of draft management actions is to protect at least 5 000ha of Plains-wanderer habitat within one or more conservation reserves. Based on the current situation the Plains-wanderer and its habitat are not adequately represented in conservation reserves.</p>
24. Whether the development or activity proposed is of a class of development or activity that is recognised as a threatening process.	The proposed activity is not listed as a threatening process in schedules of the Threatened Species Conservation Act 1995.
25. Whether any threatened species, population or ecological community is at the limit of its known distribution.	<p>The Plains-wanderer habitat within the ute muster site is located towards the southern limit of Plains-wanderer's distribution within the Riverina Bioregion. The most extensive habitat is located approximately 40km to the north of the ute muster site. Smaller areas of habitat are located approximately 2km to the north, 7km to the west and 12km to the south of the site. There is additional habitat located in Victoria, approximately 100km south-west of the site.</p> <p>No Plains-wanderers have been recorded on the ute muster site (http://wildlife.atlas.nationalparks.nsw.gov.au 22/8/2004), the closest records are approximately 30km to the north.</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.

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.

* 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*.

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*.

Applicant's name,
organisation and position.

Applicant's signature

Date 8/06/06.