



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*.

National Parks and Wildlife Service ABN 30 841 387 271

<p>1. Applicant's Name: (if additional persons require authorisation by this licence, please attach details of names and addresses)</p>	
<p>2. Organisation name and position of Applicant: (if applicable)</p>	
<p>3. Postal address:</p>	
<p>5. Location of the action (including grid reference and local government area and delineated on a map).</p>	<p>Quamby Travelling Stock Reserve – 3 km from Thuddungra on the Quamby Road in the Young Local Government Area</p> <p>Grid Reference (GDA94) 607635 east, 6219525 south. Appendix 1 – illustrates the location of the site in relation to vegetation and landuse in close proximity.</p>
<p>6. Full description of the action and its purpose (eg. scientific research, environmental assessment, regeneration activities, development etc.).</p>	<p>The relocation of a stock dam.</p>

\* 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*.

7. Details of the area to be affected by the action ( <i>in hectares</i> ).	The area to be impacted in building the dam is approximately 0.25 hectares (50 metres by 50 metres).			
8. Duration and timing of the action ( <i>including staging, if any</i> ).	The proposed time of construction will be between February to March 2007.			
9. Is the action to occur on land declared as critical habitat? ( <i>please tick appropriate box</i> )	No			
10. Threatened species, populations or ecological communities to be harmed or picked.	<u>Scientific Name</u>	<u>Common Name</u> ( <i>if known</i> )	<u>Conservation Status</u> ( <i>ie. endangered or vulnerable</i> )	<u>Details of no. of individual animals, or proportion and type of plant material</u> ( <i>eg. fertile branchlets for herbarium specimens or whole plants or plant parts</i> )
	White Box – Yellow Box – Blakely's Red Gum grassy Woodland	Box Gum Woodland	Endangered Ecological Community	3 trees to be removed and 50 metre * 50 metre area of understorey grasses and forbs to be cleared to construct new dam

\* 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

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An SIS is attached

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

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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 dominant vegetation type is *Eucalyptus albens* – *Eucalyptus melliodora* Open Woodland to 25 metres high. The small tree and tall shrub strata are dominated by patches of *E. albens*, *E melliodora* regeneration up to 10 metres and 5 metres tall respectively. There are isolated small shrubs of *Maireana microphylla* and *Sida corrugata*. The herb stratum is mixed native and introduced grasses including *Danthonia* sp., *Austrostipa* sp, *Avena* sp., *Lolium* sp., and the forb *Lomandra filiformis*.

The habitat is considered to be in good condition:

It is a mixed age Open Woodland with two overstorey tree species, some containing hollows of a wide range of sizes. The understorey has even aged patches of eucalypt regeneration up to 10 metres tall and isolated saplings to 5 metres high. The herb stratum is mixed understorey of native and introduced grasses and forbs up to 1.0 metre high. There is scattered on ground timber up to 30 cm diameter and good ground cover of grass straw and leaf litter cover, with bare ground less than 5 percent.

The subject area had recently been heavily grazed by cattle with very little in the way of live material in the herbaceous stratum.

Adjacent landuse to the north and south is mixed cropping and sheep grazing.

13. Provide details of any known records of a threatened species in the same or similar known habitats in the locality (include reference sources).

See Appendix 2 – List of fauna and flora recorded within 20 kilometre radius of the grid reference for the site (DEC Wildlife Atlas – 2006).

<p>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>).</p>	<p>The vegetation at the proposed construction site and in the wider area of the travelling stock reserve is part of the White Box-Yellow Box-Blakely's Red Gum Endangered Ecological Community (hereafter referred to as Box – Gum Woodland EEC). There have been 10 threatened bird species recorded within a 20 kilometres radius of the site. No threatened plant species have been recorded within a 20 kilometre radius of the site (DEC Wildlife Atlas 2006). However, there is potential foraging, roosting and breeding habitat for all the fauna species delineated as having "potential habitat present" listed in Appendix 3. In addition, potential habitat is present for those threatened plant species delineated similarly.</p> <p>During a visit to the site Grey-crowned Babblers and Superb Parrots were recorded foraging in the vicinity.</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>The proposed construction of the dam will clear native understorey over a 0.25 hectare area and remove 3 trees, 1 stag, 18 small trees and several saplings. This is not a significant amount of Box-Gum Woodland EEC. The part of the Quamby TSR adjacent Quamby road is approximately 231 hectares and the majority of this is covered with vegetation of a similar type and condition. The impact to the subject area of habitat is not considered significant in comparison to the amount of similar habitat within the wider locality and region.</p>
<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.</p>	<p>It is proposed to completely remove habitat within the defined area to construct a dam. This will require the destruction of 0.25 hectares of Box-Gum Woodland EEC</p>
<p>17. Provide details of possible measures to avoid or ameliorate the effect of the action.</p>	<p>The proposed area of construction will be clearly delineated to avoid damage to habitat outside the defined area.</p> <p>An old dam will be filled in and top soil spread to allow natural regeneration of native vegetation.</p> <p>All fallen timber removed for locating the dam will be left at the site.</p>

*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.*

<p>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.</p>	<p>The proposed construction of the dam will require the removal of four trees, two of them containing 7 hollows ranging in size from 50 – 150 mm and associated native understorey (See Appendix 4 photo of site). This impact will not affect the lifecycle of any of the threatened fauna species listed in Appendix 3 that may potentially use the site for foraging, roosting, basking or nesting to the point where a viable local population is likely to be placed at risk of extinction.</p> <p>Of plant species listed in Appendix 3 – the most likely to occur <i>Swainsona sericea</i> was not found to be present at the site during a plant survey in January 2007. Other plant species listed, even though 'unlikely' to occur would require a survey during a more suitable time of year and season.</p>
<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>There is no endangered population listed in the locality.</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>The removal of 3 trees, 1 stag and 0.25 hectares (See photographs in Appendix 4) of associated understorey is not a significant amount of habitat in the context of the remaining similar habitat within the Quamby Travelling Stock Reserve, locality and wider region.</p> <p>In relation to the Box-Gum Woodland EEC, again the subject area to be removed is not a significant amount.</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.	The construction of the dam will not cause any known habitat of a threatened species, population or community to become isolated.
22. Whether critical habitat will be affected.	There is no Critical Habitat declared within the region of the proposed construction site.
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>The Southwestern Slopes Bioregion has been heavily modified due to past clearing for agriculture and extant vegetation continues to be degraded by many unsustainable landuse management practices. It is therefore unlikely that all the threatened species listed in Appendix 3, or their habitats are adequately conserved within conservation reserves or other similar protected areas within the region.</p> <p>The Box-Gum Woodland EEC is not adequately conserved within conservation reserves or other similar protected areas within the region.</p>
24. Whether the development or activity proposed is of a class of development or activity that is recognised as a threatening process.	<p>Clearing of native vegetation has been listed as a key threatening process and loss of hollow bearing trees has been preliminarily listed as a key threatening process.</p> <p>However, it is considered that the proposed development will not significantly impact on threatened species, populations or communities, or their habitat. This is due to the relative small area impacted by clearing for the proposed construction of the dam and the implementation of proposed amelioration measures.</p>
25. Whether any threatened species, population or ecological community is at the limit of its known distribution.	<p>If the following subject threatened species were to occur in the locality they would be at a geographic limit of their known distribution:</p> <p>Brush-tailed Phascogale – western limit Grey Falcon – eastern limit.</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*.

### **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*.

## 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.*

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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  
(Please print)

Applicant's signature

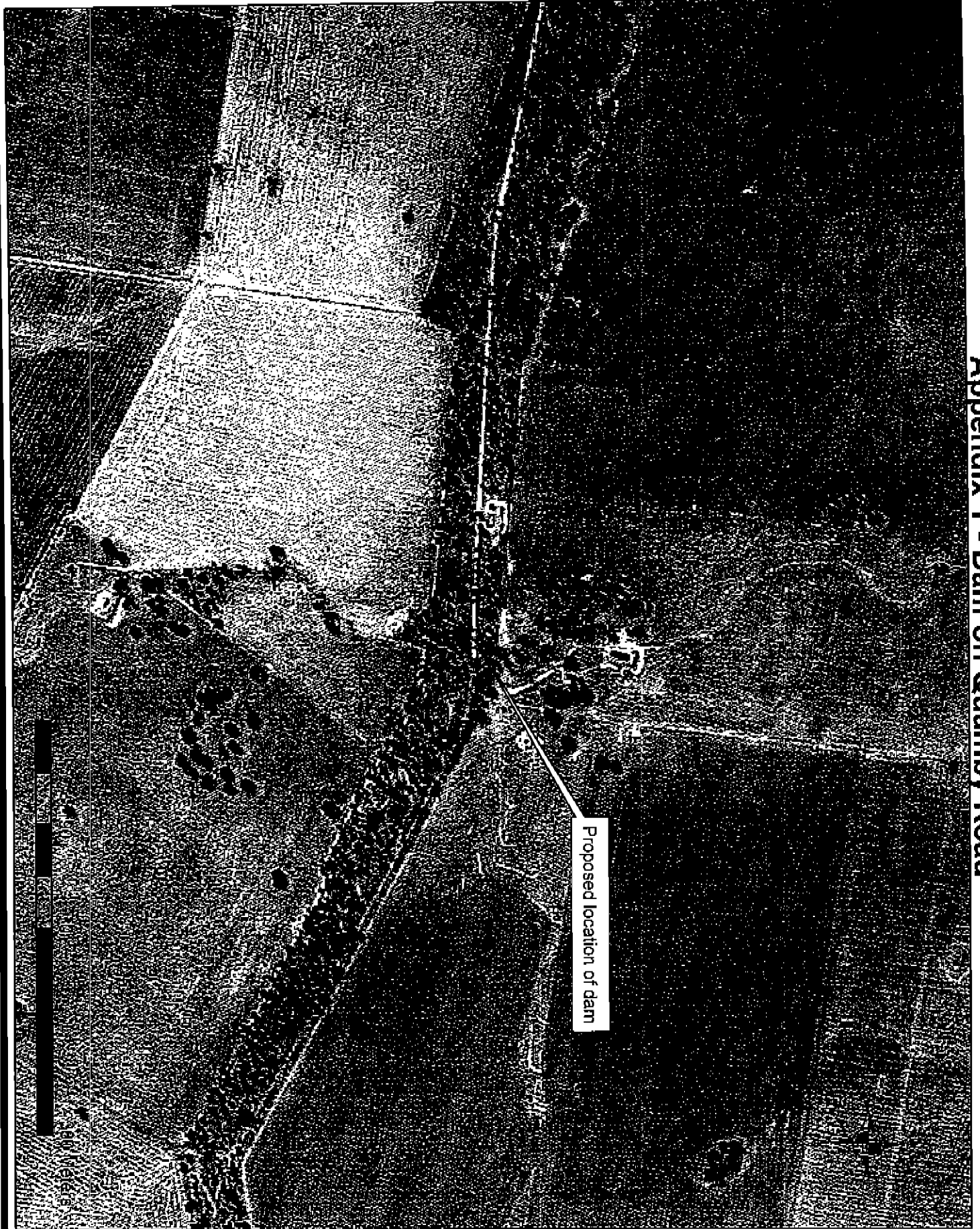
Date

YOUNG RURAL LANDS PROTECTION BOARD

MANAGER

JB Row 22/11/07

# Appendix 1 - Dam on Quamby Road



**APPENDIX 2****Threatened species recorded within 20 km radius of the site (DEC - Wildlife Atlas)****Fauna**

Black-chinned Honeyeater (eastern subsp.)	Melithreptus gularis gularis
Brown Treecreeper	Climacteris picumnus
Diamond Firetail	Stagonopleura guttata
Gilbert's Whistler	Pachycephala inornata
Grey-crowned Babbler (eastern subsp.)	Pomatostomus temporalis temporalis
Hooded Robin	Melanodryas cucullata
Painted Honeyeater	Grantiella picta
Speckled Warbler	Pyrrholaemus sagittatus
Superb Parrot	Polytelis swainsonii
Turquoise Parrot	Neophema pulchella

**Flora**

Nil

## APPENDIX 3 - THREATENED SPECIES PREDICTIVE HABITAT ASSESSMENT (UPPER SLOPES SUB-REGION)

Scientific Name	Common Name	Likelihood of occurrence
<b>Fauna and flora species</b>		
<i>Artemobium craspedoides</i>	Yass Daisy	West of known distributional limit. Requires survey in season
<i>Aprasia parapulchella</i>	Pink-tailed Worm Lizard	Habitat not suitable
<i>Austrostipa wakoolica</i>	a spear-grass	East of known distributional limit. Requires survey in season
<i>Bydarrus bydarrus</i>	Silver Perch	Habitat not suitable
<i>Botaurus poiciloptilus</i>	Australasian Bittern	Habitat not suitable
<i>Burhinus grallarius</i>	Bush Stone-curlew	Unlikely to occur
<i>Cacalia leadbeateri</i>	Pink Cockatoo	Unlikely to occur
<i>Caladenia cancolor</i>	Crimson Spider Orchid	North of known distributional limit. Requires survey in season
<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo	Unlikely to occur
<i>Calyptrornis latitans</i>	Glossy Black Cockatoo	Habitat not suitable
<i>Cercartetus nanus</i>	Eastern Pygmy Possum	Unlikely to occur
<i>Certhionyx variegatus</i>	Pied Honeyeater	Unlikely to occur
<i>Chalinobus picatus</i>	Little Pied Bat	Unlikely to occur
<i>Climacteris picumnus</i>	Brown Treecreeper	Potential habitat present
<i>Dasyurus maculatus</i>	Tiger quoll	Unlikely to occur
<i>Falco hypoleucos</i>	Grey Falcon	Potential habitat present
<i>Goodenia macbaronii</i>	McBaron's Goodenia	Requires survey in appropriate season
<i>Grantia picta</i>	Painted Honeyeater	Potential habitat present
<i>Grus rubicunda</i>	Brolga	Habitat not suitable
<i>Lathamus discolor</i>	Swift Parrot	Potential habitat present
<i>Limosa limosa</i>	Black-tailed Godwit	Habitat not suitable
<i>Litoria booroolongensis</i>	Booroolong Frog	Habitat not suitable
<i>Lophocinia isura</i>	Square-tailed Kite	Potential habitat present
<i>Macquaria australasica</i>	Macquarie perch	Habitat not suitable
<i>Melanodryas cucullata cucullata</i>	Hooded Robin (south-eastern form)	Potential habitat present
<i>Melithreptus gularis gularis</i>	Black-chinned Honeyeater (eastern subspecies)	Potential habitat present
<i>Mimolopaterus schreibersii oceanensis</i>	Eastern Benthwing-bat	Unlikely to occur
<i>Myotis adustus</i>	Large-footed Myotis	Unlikely to occur
<i>Nannoperca australis</i>	Southern pygmy perch	Habitat not suitable
<i>Neophema pulchella</i>	Turquoise Parrot	Potential habitat present
<i>Ninox connexa</i>	Barking Owl	Potential habitat present
<i>Ninox strenua</i>	Powerful Owl	Habitat not suitable
<i>Nyctophilus timorensis</i>	Greater Long-eared Bat (south eastern form)	Unlikely to occur
<i>Oxyura australis</i>	Blue-billed Duck	Habitat not suitable
<i>Pachycephala inornata</i>	Gilbert's Whistler	Unlikely to occur

<i>Petaurus norfolkensis</i>	Squirrel Glider	Unlikely to occur
<i>Phascogale tapoatafa</i>	Brush-tailed Phascogale	Potential habitat present
<i>Phascogale cinereus</i>	Koala	Habitat not suitable
<i>Phylloeca ericifolia</i>		Habitat not suitable
<i>Polytelis swainsonii</i>	Superb Parrot	Potential habitat present
<i>Pomastomus temporalis</i>	Grey-crowned Babbler	Potential habitat present
<i>Prasopium pellicum</i>	Tarango Leek Orchid	Unlikely to occur
<i>Pyrrhuloxia sagittaria</i>	Speckled Warbler	Potential habitat present
<i>Saccolaimus flaviventris</i>	Yellow-bellied Sheath-tail-bat	Potential habitat present
<i>Stagonopleura guttata</i>	Diamond Firetail	Potential habitat present
<i>Stictonetta naevosa</i>	Freckled Duck	Habitat not suitable
<i>Swainsona sordida</i>	Silky Swainson-pea	Potential habitat present
<i>Synemon plana</i>	Golden Sun Moth	Habitat not suitable
<i>Varanus rosenbergi</i>	Rosenberg's Goanna	Habitat not suitable
<i>Xanthomyza phrygia</i>	Regent Honeyeater	Unlikely to occur
<b>Endangered Ecological Communities</b>		
Natural Temperate Grassland of the Southern Tablelands (NSW and ACT)		
White Box Yellow Box Blakely's Red Gum Woodland	NB: Only listed Nationally not State.	Not present
		Present

## **APPENDIX 4**

### **PHOTOGRAPHS OF AREA WHERE DAM IS TO BE LOCATED**

