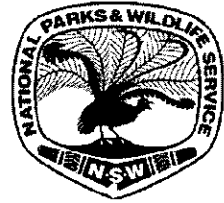


Application for a



Section 91 Licence

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

<p>1. Applicant's Name: <i>(if additional persons require authorisation by this licence, please attach details of names and addresses)</i></p>	<p>[REDACTED] on behalf of Johnson Property Group Pty Ltd, as well as its agents and contractors.</p>
<p>2. Organisation name and position of Applicant: <i>(if applicable)</i></p>	<p>Johnson Property Group</p>
<p>3. Postal address:</p>	
<p>5. Location of the action <i>(including grid reference and local government area and delineated on a map).</i></p>	<p>the property boundaries</p>
<p>6. Full description of the action and its purpose <i>(eg. scientific research, environmental assessment, regeneration activities, development etc.)</i>.</p>	<p>The proposed action is property maintenance consisting of removal of debris, removal of noxious weeds, removal of exotic species and slashing of grass.</p> <p>The purpose of the action is to minimise risk of fire, rabbits and noxious weed occurrence.</p> <p>The action is further detailed as;</p> <ul style="list-style-type: none">• The removal of approximately 20 piles of debris (logs, fallen and dead timber and dumped rubbish).

* 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*.

- The removal of noxious weeds (*Cestrum parqui*, *Ligustrum lucidum*, *Ligustrum sinense*, *Lycium ferocissimum*, *Opuntia spp.*, *Rubus discolor*) and *Cinnamomum camphora*.
- The slashing of grass.

Advice was sought and received from Council authorising the works relating to the removal of debris and removal of noxious weeds. (see attached letter).

This licence is sought with respect to the potential damage to vegetation which may occur inadvertently as a result of undertaking the above actions.

There is a risk that some regrowth native vegetation, notably occasional saplings of *Acacia decurrens* may be accidentally damaged by equipment clearing debris/slashing during the proposed works in the degraded and severely degraded areas without the proposed conservation area.

As part of the current works, the proposed conservation area has been marked by survey. This proposed conservation area includes relatively intact vegetation, *Acacia pubescens*, drainage line dominated by exotic grasses and 10 m wide buffer zone (existing degraded vegetation, and dominated by exotic grasses) - no works are proposed in the current application within the conservation area.

Existing trees and rows of trees in the development area have been identified on plan.

7. Details of the area to be affected by the action (in hectares). Approximately 8 ha

8. Duration and timing of the action (including staging, if any). Ongoing

9. Is the action to occur on land declared as critical habitat*? (please tick appropriate box)

Yes No

10. Threatened species, populations or ecological communities to be harmed or picked.

- Shale Plain Woodland <10% cover (NPWS 2003 Mapping)
- Severely Degraded and Degraded Vegetation (Clements et al 2003)

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

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

<p>12. Describe the type and condition of habitats in and adjacent to the land to be affected by the action.</p>	<p>On land to be affected by the action – degraded and severely degraded vegetation.</p> <ul style="list-style-type: none"> • Shale Plain Woodland <10% cover (NPWS 2003 Mapping) • Severely Degraded and Degraded Vegetation (Clements et al 2003) <p>On land adjoining the land affected by the action</p> <ul style="list-style-type: none"> • Shale/Gravel Transition Forest >10% cover • Shale Plain Woodland >10% cover • Relatively intact vegetation with drainage line dominated by exotic grasses (Clements et al 2003)
<p>13. Provide details of any known records of a threatened species in the same or similar known habitats in the locality <i>(include reference sources)</i>.</p>	<p>Shale/Gravel Transition Forest >10% cover in the adjoining proposed conservation area.</p> <p>The ecological community is mapped as being in significantly better condition and has been identified for conservation.</p>
<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 land on which the proposed action will impact has been mapped as;</p> <ul style="list-style-type: none"> • Shale Plain Woodland <10% cover (NPWS 2003 Mapping) • Severely Degraded and Degraded Vegetation (Clements et al 2003)

<i>sources).</i>	
<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>Approximately 8 ha of degraded and severely degraded vegetation will be effected.</p> <p>No works are proposed in the current application are proposed for the 9 ha of relatively intact vegetation within the conservation area to the south-east of the development area.</p> <p>In the Final Determination, Shale Gravel Transition Forest has been reported as occurring in the Local Government Areas of Auburn, Bankstown, Baulkham Hills, Blacktown, Fairfield, Hawkesbury, Holroyd, Liverpool, Parramatta and Penrith.</p> <p>It is known to occur in Agnes Banks Nature Reserve, Castlereagh Nature Reserve, Scheyville National Park and Windsor Downs Nature Reserve.</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>The proposed action is unlikely to adversely impact the lifecycle and habitat of the ecological community given the degraded state of the community in the location of the proposed action.</p> <p>The nature of the action is reduction of understorey weed occurrence and possible impact to native understorey as a result of the action. The intensity is considered to be low due to the degraded nature of the community.</p> <p>The retention of tree cover and reduction of understorey weed occurrence, is considered beneficial to adjoining intact vegetation by reducing threat of weed invasion and control of exotic species.</p>
<p>17. Provide details of possible measures to avoid or ameliorate the effect of the action.</p>	<p>Retention of existing native trees in the area of the action, demarcation of the area adjoining that of the proposed action to protect and preserve the:</p> <ul style="list-style-type: none"> • Shale/Gravel Transition Forest >10% cover • Shale Plain Woodland >10% cover • Relatively intact vegetation with drainage line dominated by exotic grasses (Clements et al 2003)

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 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.</p>	<p>No threatened species have been recorded in the development area. It is unlikely that hence the proposed action is unlikely 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.</p>
<p>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.</p>	<p>No endangered population has been recorded in the development area. It is unlikely that hence the proposed action is unlikely 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.</p>
<p>20. In the case of an endangered ecological community or critically endangered ecological community whether the action proposed;</p> <p>i) is likely to have an adverse effect on the extent the ecological community such that its local occurrence is likely to be placed at risk of extinction; or;</p> <p>ii) likely to substantially and adversely modify the composition of the community such that its local occurrence is likely to be placed at risk of extinction.</p>	<p>The proposed action is unlikely to have an adverse effect on the extent the ecological community such that its local occurrence is likely to be placed at risk of extinction.</p> <p>The proposed action is unlikely to substantially and adversely modify the composition of the community such that its local occurrence is likely to be placed at risk of extinction.</p> <p>The proposed action will not impact upon the:</p> <ul style="list-style-type: none"> • Shale/Gravel Transition Forest >10% cover • Shale Plain Woodland >10% cover • Relatively intact vegetation with drainage line dominated by exotic grasses (Clements et al 2003)

<p>21. In relation to the habitat of a threatened species, population or ecological community:</p> <p>i) the extent to which the habitat is likely to be removed or modified as a result of the action proposed, and</p> <p>ii) whether an area of the habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action, and</p> <p>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,</p>	<p>The proposed action may impact on the severely degraded ecological community (approximately 8 hectares) as a result of inadvertent impacts upon native ground covers as a result of removal of piles of debris, noxious weeds and slashing of grass.</p> <p>The proposed action will not increase fragmentation or isolation of the ecological community. The proposed action will not impact upon the retention of the:</p> <ul style="list-style-type: none"> • Shale/Gravel Transition Forest >10% cover • Shale Plain Woodland >10% cover • Relatively intact vegetation with drainage line dominated by exotic grasses (Clements et al 2003) <p>The ecological community is not considered of high importance to the long term survival of the ecological community in the locality.</p> <p>The adjoining:</p> <ul style="list-style-type: none"> • Shale/Gravel Transition Forest >10% cover • Shale Plain Woodland >10% cover • Relatively intact vegetation with drainage line dominated by exotic grasses (Clements et al 2003) <p>Will be not be impacted upon by the proposed action and it is considered that the action will only have positive benefits to the long term survival of the ecological community in the locality.</p>
<p>22. Whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly),</p>	<p>The proposed action is not likely to have an adverse impact on critical habitat, as no critical habitat has been identified on the land on which the action will occur.</p>
<p>23. Whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan,</p>	<p>The proposed action is consistent with the objectives of the recovery plan for the Cumberland Plain in that it seeks to protect the area of relatively intact:</p> <ul style="list-style-type: none"> • Shale/Gravel Transition Forest >10% cover • Shale Plain Woodland >10% cover <p>By reducing the likely hood of vermin and reducing the presence of noxious weeds and exotic species.</p> <p>No threat abatement plan currently exists for the ecological community.</p>

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.

The proposed action is part of a key threatening process, on the land subject to the action, which has been identified as being degraded to severely degraded, however is not considered to constitute a key threatening process on the land identified for conservation.

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

* 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*.

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.

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

Johnson Property Group
Managing Director _____

9/11/2005

Applicant's name,
organisation and position
(Please print)

Applicant's signature

Date