Application for a



# **Section 91 Licence**

to harm or pick a threatened species, population or ecological community<sup>\*</sup>, 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)	Chris Daley	Nicola Booth	Steven Ellem
2. Organisation name and position of Applicant: ( <i>if applicable</i> )	Director Infrastructure Services Hawkesbury City Council	Land Management Officer Hawkesbury City Council	Bushfire Mitigation Officer Hawkesbury RFS
3. Postal address:	P.O. 146 Windsor NSW 2756	P.O. 146 Windsor NSW 2756	6 Macquarie Road Wilberforce NSW 2756
4. Telephone:	B.H.:02 4560 4444	B.H.:02 4560 4531	B.H.: 02 45751 601
5. Location of the action (including grid reference and local government area and delineated on a map).	Old Stock Route Road Reserve Pir National Park. Hawkesbury LGA. 150° 52' 56.32"E 33° 34" 52.943"S (See Map)		Town. Adjacent to Scheyville

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.

6. Full description of the action and its purpose (e.g. scientific research, environmental assessment, regeneration activities, development etc.).	Hazard Reduction of Bushland adjacent to private property, to create an Asset Protection Zone. This will include a section of hand cutting/slashing nearest the house (see Map). The second area will be burnt. This has been identified as a priority area by the Hawkesbury Bushfire Management Committee.
7. Details of the area to be affected by the action <i>(in</i> <i>hectares)</i> .	This 2.6 ha area consists of dense colonies of <i>Acacia pubescens</i> , <i>Pultenaea parviflora</i> . Some individuals of <i>Dillwynia tenuifolia</i> and <i>Scoteanax ruepelli</i> were also identified in a previous Plan of Management for Old Stock Route Road construction, compiled by Conacher Travers Environmental Consultants, October 2001. (Attachment of this Plan of Management)
8. Duration and timing of the action <i>(including</i> <i>staging, if any).</i>	This process is proposed to commence as soon as possible after the application has been approved. The first stage entails cutting of a hand line to areas nearest the house to allow a control line for the burn component. The burn component is proposed to be undertaken towards October to allow for a hotter burn which will be more beneficial for the vegetation. This component should only take 1-2 days to complete.
9. Is the action to occur on land declared as critical habitat <sup>*</sup> ? <i>(please tick appropriate box)</i>	YES NO X

nreatened becies,	Scientific Name	Common Name	Conservation Status	Details of Population
opulations or cological ommunities be harmed picked.	Acacia pubescens	Downy Wattle	Vulnerable	The species covers approximately 15-20% of the Reserve. The specimens are currently in flower. Possibly many individuals have been produced vegetatively.
	Dillwynia tenuifolia	N/A	Vulnerable	Few isolated mature individuals, some are currently in flower.
	Pultenaea parviflora	N/A	Vulnerable	Few isolated mature individuals. Last site vis 5.06.09, no flowers observed.
	Cumberlan Plain Woodland Shale Plair Woodland		Ecologically Endangered Community	Entire Reserve, vegetation fairly intact, mini weed invasion from edge effect. Invasive species include: <i>Eragrostis curvula</i> , <i>Araujia</i> <i>sercifera</i> , <i>Astroemeria pulchella</i> , <i>Pennisetur</i> <i>clandestinum</i>
	Scoteanax ruepelli	Greater Broad Nosed Bat	Vulnerable	One individual sighted in this reserve. No indication of breeding or roosting was documented in the Reserve. (harm to this species most likely won't occur)
11. On a sing in		B) For action	proposed on la	nd <u>not</u> declared as critical habitat
11. Species impact: (please tick appropriate box)				e as none of the land is declared critical for Vulnerable Listed Species.
<ul> <li>a) For action proposed on land declared as critical habtat; or</li> </ul>		The Cumberla compiling this		has no declared habitat at the stage of
<ul> <li>b) For action proposed on land <u>not</u> declared as critical habitat.</li> </ul>				

*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.	The type of habitat is reg regenerated into Cumberland condition of the vegetation is infestations from garden escape	Plain Woodland, Shale relatively good with all s	Plains Woodland. The strata intact. Only a few
13. Provide details of any known records of a threatened species in the same or similar known habitats in the locality (include reference sources).	From DECC website: <i>Acacia pubescens</i> , location on Pitt Town - Dural Rd 1 km from Cattai Ridge Rd	From Wildlife Atlas: Acacia pubescens, Pultenaea parviflora, <i>Dillwynia tenuifolia,</i> <i>Grevillea juniperina</i> <i>susp.juniperina</i> See References	See Appendix 1& 2
14. Provide details of any known or potential habitat for a threatened species on the land to be affected by the action <i>(include</i> <i>reference sources).</i>	See References	<i>Cumberland Land</i> <i>Snail</i> - habitat forms debris and logs on ground layer.	For threatened peas species their habitats are found within the Shale Plains Woodland/Cumberland Plain Woodland. This is found on this Reserve.
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.	<1% of the total population in NSW is represented for each documented species in the reserve. For Cumberland Plain which is approximately 11250 hectares, this Reserve only covers 2.6 Ha. That equates to approximately 0.03% of the entire area of Cumberland Plain Woodland.	No essential habitat or population size known for Pultenaea parviflora, Cumberland Land Snail, Greater Broad Nosed Bat.	Known population of <i>Dillwynia tenuifolia</i> covers approximately 83km <sup>2</sup> ; the total cover of this local population in this Reserve covers < 100m2. Acacia pubescens is recorded to have 116 populations. In this reserve the works will cover part of the Scheyville population.
16. Provide an assessment of the likely nature and intensity of the			

effect of the action on the lifecycle and habitat of the species.	<b>For Peas</b> The nature of the activity will be a hand cut line nearest the house the rest of the reserve will be burnt, with the exception of a control line on the eastern most boundary. The hazard reduction will be planned taking into consideration the life cycle of the threatened pea species. A previous study on the reserve where plans had been in place to reconstruct the road identified that burning and physical disturbance is required for the germination of <i>A. pubescens</i> . A similar approach will be undertaken for <i>P. parviflora</i> and <i>D. tenuifolia</i>	Cumberland Land Snail & Greater Broad Nosed Bat Cumberland snail's habitat involves logs, lumps of bark and leaf debris. It is highly likely that described habitat will be damage via burning. However at this stage no Cumberland Land Snails have been identified on this reserve. The Greater Broad Nosed Bat's habitat is primarily in the canopy of the woodland. It will utilise understorey to predate on insects, however this animal is nocturnal and its activity will primarily be during the night, the HR will take place during the day not interrupting feeding time. The fire is not expected to be at an intensity that it will cause damage to the canopy. There may be disruption to immediate food sources until the understorey regenerates however the proximity to and the size of the National park will ensure that a food source is near by.
17. Provide details of possible measures to avoid or ameliorate the effect of the action.	This site has not been burnt over 50 years from the Hawkesbury Bush Fire Management Committee records (see attachment). It has been assessed that this community performs best when a burn occurs at a maximum interval of 40 years (see attachment 1). Burning is planned for spring to ensure a hotter fire which suits the preferred regime for this vegetation community. A strategy to ameliorate damage done to older mature species that potentially produce seed, identifies that any specimens with a trunk diameter at the base (where trunk meets soil) greater than 150mm will be left intact. Other smaller species most likely will be cut/slashed. The burning of this species has been discussed with Tony Auld from DECC, where he advised that the time of burn did not matter due to the interval of being a substantial amount of time apart.	Potential Cumberland Land Snail habitat is relatively extensive through out the reserve. The reserve will be observed prior to commencing the burn, to identify debris or logs that may be habitat. These will be wet down to prevent being burnt during the hazard reduction. Any individuals seen during the observation will be relocated into the adjacent National Park Scheyville away from the burn area to the same habitat. During the hazard reduction the timost care will be undertaken by the RFS to ensure that the fire doesn't reach the canopy, in order to protect the habitat of the Greater Broad Nosed Bat.

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.	affe poir ider <i>pub</i> and out bas also	s highly unlikely that the burn will fect the local population to the int if extinction. It has been entified that disturbance to <i>Acacia</i> <i>ibescens</i> increases proliferation id this will be monitored through it the process and reported on as a sis for future burns. The fire would so stimulate germination from <i>ultenaea</i> and <i>Dillwynia,</i> as part of e pea ecology.		
19. In the case of an endangered populat whether the lifecycle the species that constitutes the endangered populat is likely to be disrupt such that the viability the population is like to be significantly compromised.	e of ion ted y of	level to the Cumberland Land sr done to protect habitat for the However in a worst case scena affected in terms of destruction	increase extinction at a localised hail. Everything practicable will be a Land snail during the activity. ario, the snail could be adversely of individuals and habitat. At this dentified on site. The likelihood of	
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.		regional conservation reserves e. adjacent. For the interim the roa only until the reserve regenerat allowed to regenerate naturally.	nsignificant in comparison to other .g. Scheyville NP, which is directly ad reserve will be highly modified res. Post fire the reserve will be The reserve will be monitored for escens regeneration. However the e relatively insignificant.	
21. Whether an area of known habitat is like become isolated from currently interconnecting or proximate areas of habitat for a threater species, population ecological communit	ned or	This area won't become isolate boundaries/size or the reserve.	d as the activity won't affect the	

Shale plains woodland that has been studied to have a fire regime of 10-30 years, and Castlereagh Scribbly gum woodland identified to have a fire regime of 8- 40years. It has been recorded that a fire hasn't happened in this road reserve for approximately 50 years. This suggests that the hazard reduction will most likely benefit the road reserve as a whole.
Adequately represented in conservation reserves nearby.
Activity not identified as a threatening process
Not at the limit of known distribution

## 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<sup>\*</sup>

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.

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

Chris Daley Director Infrastructure Services

Shiis Daley

6.08.2009

#### **REFERENCES:**

#### The Greater Broad Nosed Bat

http://www.threatenedspecies.environment.nsw.gov.au/tsprofile/profile.aspx?id=10748

#### Acacia pubescens - DECC & DEWHA websites 06.07.09

http://www.threatenedspecies.environment.nsw.gov.au/tsprofile/profile.aspx?id=10023 http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon\_id=18800

#### Pultenaea parviflora DECC & DEWHA websites 06.07.09

http://www.threatenedspecies.environment.nsw.gov.au/tsprofile/profile\_data.aspx?id=10715&cma= Hawkesbury/Nepean http://www.environment.gov.au/cgi.bip/sprat/public/publicspecies.pl2taxon\_id=19380

http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon\_id=19380

Dillwynia tenuifolia DECC & DEWHA websites 06.07.09

http://www.threatenedspecies.environment.nsw.gov.au/tsprofile/profile.aspx?id=10226 http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon\_id=13149

Cumberland Plain Land Snail

http://www.threatenedspecies.environment.nsw.gov.au/tsprofile/profile.aspx?id=10526

Cumberland Plain Woodland DECC & RBGT websites 06.07.09

<u>http://www.threatenedspecies.environment.nsw.gov.au/tsprofile/profile.aspx?id=10191</u> <u>http://www.rbgsyd.nsw.gov.au/science/current\_research/Ecology\_of\_Cumberland\_Plain\_Woodlan\_d\_</u>

Wildlife atlas - National Parks and Wildlife Service - DECC - 06.07.09 http://wildlifeatlas.nationalparks.nsw.gov.au/wildlifeatlas/watlasSpecies.jsp

## APPENDIX 1

Fauna species list for Scheyville NP from the Wildlife Atlas website as of the 06.07.09

Amphibia	Мар	Scientific Name	Common Name	<u>Legal</u> <u>Status</u>	Coun t	Info
Hylidae						
		Litoria aurea	Green and Golden Bell Frog	E1	1	1
Aves	Мар	Scientific Name	Common Name	Legal Status	Coun t	Info
Acanthizida	ae					
		Pyrrholaemus saggitatus	Speckled Warbler	V	217	1
Ardeidae						
		Ixobrychus flavicollis	Black Bittern	V	4	1
Cacatuidae	2					
		Callocephalon fimbriatum	Gang-gang Cockatoo	V	1	1
		Calyptorhynchus lathami	Glossy Black- Cockatoo	V	1	<b>i</b>
Climacteric	lae					
		Climacteris picumnus	Brown Treecreeper	V	3	
Jacanidae						_
		Irediparra gallinacea	Comb-crested Jacana	V	3	1
Meliphagid	ae					
		Melithreptus gularis gularis	Black-chinned Honeyeater (eastern subspecies)	V	4	1
		Xanthomyza phrygia	Regent Honeyeater	E1	2	1
Psittacidae						
		Lathamus discolor	Swift Parrot	E1	2	1
Strigidae						
		Ninox connivens	Barking Owl	V	1	1
		Ninox strenua	Powerful Owl	V	2	1
Gastropod a	Мар	Scientific Name	Common Name	<u>Legal</u> <u>Status</u>	Coun t	Info

Camaenida	e					
		Meridolum corneovirens	Cumberland Plain Land Snail	E1	8	i
Mammalia	Мар	Scientific Name	Common Name	<u>Legal</u> <u>Status</u>	Coun t	Info
Molossidae						
		Mormopterus norfolkensis	Eastern Freetail-bat	V	9	1
Pteropodidae						
		Pteropus poliocephalus	Grey-headed Flying- fox	V	3	1
Vespertilio	nidae					
		Chalinolobus dwyeri	Large-eared Pied Bat	V	1	1
		Miniopterus schreibersii oceanensis	Eastern Bentwing-bat	V	1	i
		Myotis adversus	Large-footed Myotis	V	1	1
		Scoteanax rueppellii	Greater Broad-nosed Bat	V	1	1

## APPENDIX 2

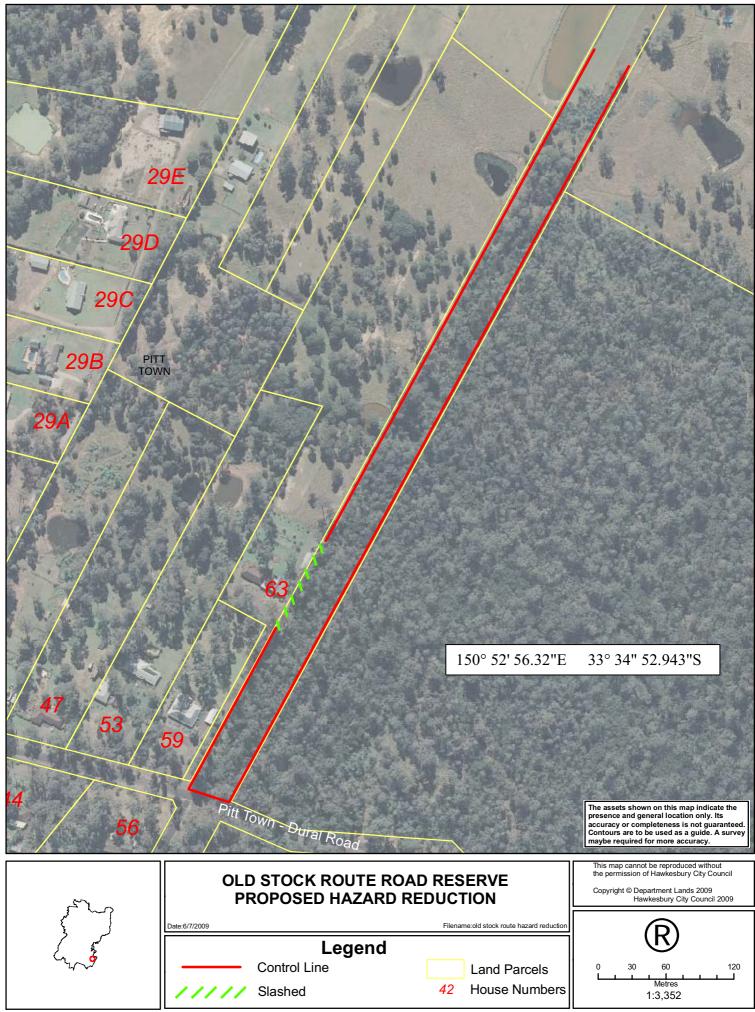
Threatened flora species in Scheyville national Park from the Wildlife Atlas as at 6.07.09

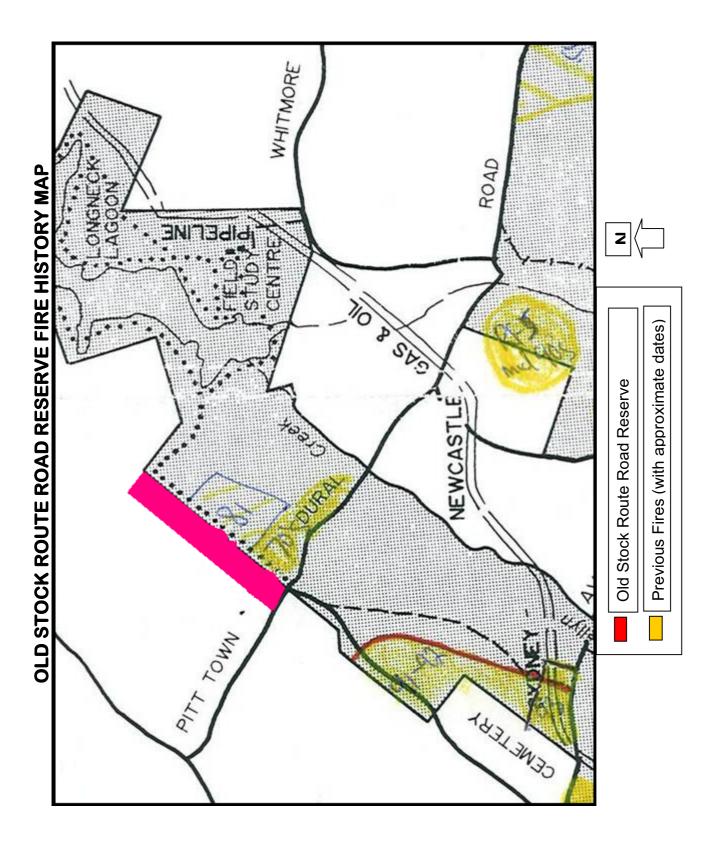
Ρ	lants	Мар	Scientific Name	Common Name	<u>Legal</u> <u>Status</u>	Coun t	Info
	Fabacea	e (Fa	boideae)				
			Dillwynia tenuifolia		V	4	i
			Pultenaea parviflora		E1	1	1
	Fabacea	e (Mi	mosoideae)				
			Acacia pubescens	Downy Wattle	V	16	1
	Proteace	ae					
			Grevillea juniperina subsp. juniperina	Juniper-leaved Grevillea	V	2	<b>i</b>

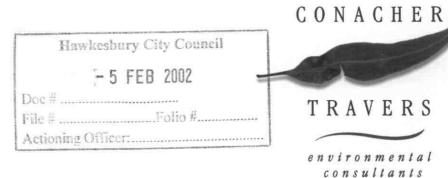


# HAWKESBURY CITY COUNCIL

PO Box 146, Windsor NSW 2756 Website: www.hawkesbury.nsw.gov.au Email: council@hawkesbury.nsw.gov.au Hours: Monday to Friday 8.30am - 5.00pm Phone: 02 4560 4444







## PLAN OF MANAGEMENT

## FOR THE

## **PROPOSED ROAD CONSTRUCTION**

#### AT

## OLD STOCK ROUTE ROAD SCHEYVILLE

UPDATED OCTOBER 2001



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## Prepared by Conacher Travers

Bush Fire & Environmental Consultants

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#### 1.1 BACKGROUND

*Conacher Travers Pty Ltd* has been contracted by Hawkesbury City Council to prepare a Plan of Management (Plan) for bushland within a proposed road reserve adjacent to a proposed flood access route through Old Stock Route Road, Scheyville. The subject site is located between Pitt Town Dural Rd and Old Pitt Town Rd, Scheyville.

The subject site represents a linear  $800 \times 30$  metre road access. It is proposed to develop Old Stock Route Road covering the western 10 metres (road access). The remaining eastern 20 x 800 metres (road reserve) is to be managed for biodiversity incorporating guidelines outlined in this Plan.

The aim of this Plan is to provide information regarding the conservation and management of both bushland and threatened species located within the subject site. Therefore this Plan of Management can be considered as both a Bushland Management Plan and a Threatened Species Management Plan.

#### 1.2 RELEVANT REPORTS

*Conacher Travers Pty Ltd* has conducted a flora and fauna assessment of the site (Conacher Travers, 1999) which revealed the presence of several threatened flora species. It was considered that the development would have a significant impact on these threatened species and a Species Impact Statement (SIS) was completed by *Conacher Travers Pty Ltd* in August 2000 which determined that the proposal will result in the removal of threatened species and their habitats from the subject site. To offset this result, a set of ameliorative measures was devised to best cater for the minimum impact and rehabilitation of ecological values within the subject sites. This Plan has been prepared as part of the ameliorative measures proposed by the SIS.

This Plan will identify and address options for the management of the proposed road reserve for the conservation of biodiversity, and in particular for the conservation of the threatened species recorded on site. This management plan will be implemented upon approval of the development application and will be in place for five years, as recommended by the SIS.

The plan will undergo review after five years, to assess the adequacy of management guidelines and to review the overall success of the plan itself.

#### 1.3 THE DEVELOPMENT PROPOSAL

The Pitt Town area has been recognised as being susceptible to flooding. The use of Old Stock Route Road between Pitt Town Road and Pitt Town Dural Road represents the most practical and cost effective route for the evacuation of the Pitt Town community.

The subject site is defined as a dedicated road reserve extending from the northern end of Old Stock Route Road to Pitt Town-Dural Road. This road reserve is 30 metres wide and is bounded to the east by Scheyville National Park / cemetery and a private property to the west. The subject site is approximately 5 ha in area. The proposed development will result in the removal of an  $800 \times 10$ -metre section of vegetation along the western edge of the subject site. The removal of this vegetation will include portions of the three threatened species identified

within the subject site. Figure 1 provides the layout of the proposed development, inclusive of the erosion and sediment control measures.

The post development landscape will be represented by a 6.1 metre wide road, with a 3.9 metre wide embankment / fence zone void of vegetation. Council will manage the 3.9 metre wide section directly adjacent to the eastern margin of the road in a manner consistent with other roadside verges of the LGA. Replanting of natural vegetation within this area will not occur. Implementation of Council's exotic flora control plan will be required to prevent the potential for long-term degradation of Scheyville National Park from exotic flora invasions.

#### 1.4 MANAGEMENT REQUIREMENTS

Vegetation within the remaining 20 metre strip adjoining the eastern margin of the road construction will be excluded from any development activity. Management of this vegetation will be required as an ameliorative measure to ensure the long-term viability of the native 'bushland' and threatened species.

Management options for the conservation of threatened species include the adoption of guidelines and prescriptions outlined in this Plan and dedication of this 20 metre wide vegetation strip to the National Parks and Wildlife Service for inclusion within Scheyville National Park.