



Your reference : F08/372
Our reference : FIL09/19837
Contact : Deb Stevenson, 9995 6842

ROCKDALE CITY COUNCIL
2 BRYANT STREET, ROCKDALE, NSW

Dear Mr Meehan

RE: Section 95 Certificate to trim Phragmites and remove Duckweed from Bicentennial Ponds Rockdale

I refer to your Section 91 licence application received by the Department of Environment, Climate Change and Water (DECCW) on 16-Jul-2009 to trim Phragmites (*Phragmites australis*) at the southern end of Bicentennial Ponds to maintain gross pollutant traps and to remove Duckweed (*Lemna minor*) which has accumulated along with litter in between the floating boom and a weir in the same area of Bicentennial Ponds. The works proposed will occur within and adjacent to the Swamp Sclerophyll Forest Endangered Ecological Community which is present at Bicentennial Ponds and along the Rockdale Wetlands corridor.

The DECCW understands that approximately 6 m² of Phragmites will be trimmed by Council twice a year to a height of 100mm above ground or water level either by hand or using a whipper snipper. An area of approximately 20 m² of Duckweed will be removed from the same location by boat using hand scoop nets together with the bucket of a backhoe which will be positioned on the bank in an area which has been previously cleared. The removal of Duckweed will occur on an annual basis. Staff involved in undertaking these works will be inducted in relation to the sensitive nature of the site and all access will be restricted to previously cleared and maintained tracks on the banks of Bicentennial Ponds. The plant material which has been removed will be disposed of to an authorised landfill facility.

I have assessed your licence application in accordance with the provisions of the *Threatened Species Conservation Act 1995* (TSC Act) and concluded that the proposal is unlikely to have a significant impact on threatened species, endangered populations or endangered ecological communities. The TSC Act makes provision for the issue of a certificate under section 95(2) for actions which technically constitute damage to the habitat of threatened species, but which are unlikely to have a significant impact. Accordingly, I have decided to authorise your activities and issue you with a Section 95(2) certificate.

If you have any further questions in relation to this matter, please contact Deb Stevenson on 9995 6842 or deborah.stevenson@environment.nsw.gov.au .

Section 95(2) Certificate

Threatened Species Conservation Act 1995

Department of **Environment & Climate Change** NSW



Yours sincerely

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Ms Deb Stevenson
Acting Manager
Metropolitan Projects & Support Section

Section 95(2) Certificate

Threatened Species Conservation Act 1995

Department of Environment & Climate Change NSW



Issued To:

ROCKDALE CITY COUNCIL,
ABN 66 139 730 052,
2 BRYANT STREET,
ROCKDALE NSW 2216
Fax: (02) 95621777

Certificate no. : 1104916
Issue Date: 12-Aug-2009
Expiry date: 12th August 2012

I certify that picking/harming of *Phragmites australis* and removal of Duckweed, which are components of the Swamp Sclerophyll Endangered Ecological Community, for the purposes of maintaining gross pollutant traps and removing litter at the southern end of Bicentennial Ponds, as described your Section 91 application, is unlikely to significantly affect threatened species, populations, ecological communities or their habitats and consequently the proposal does not require a licence under the *Threatened Species Conservation Act, 1995* pursuant to Section 95(2).

This certificate is a defence against prosecution under sections 118A-D of the *National Parks and Wildlife Act 1974*.

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Ms Deb Stevenson
Acting Manager
Metropolitan Projects & Support Section