



Section 91 Licence

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

1. Applicant's name ^: <i>(if additional persons require authorisation by this licence, please attach details of names and addresses)</i>		
2. Australian Business Number (ABN):	47504455945	
3. Organisation name and position of applicant ^: <i>(if applicable)</i>	Eurobodalla Shire Council Strategic Planning Officer (Environment)	
4. Postal address ^:	PO Box 99 Moruya 2537	Telephone ^: B.H. 4474 1202 A.H. [REDACTED]
5. Location of the action <i>(including grid reference and local government area and delineated on a map).</i>	Eurobodalla LGA The action will be undertaken in Batemans Bay. The main dispersal location is expected to be at the current camp site across three general locations; Water Gardens reserve, around Catalina Lake and the western side of the golf course at Catalina Country Club. Attachment 1 is the Batemans Bay Flying-fox Camp Dispersal Plan 2016-2019 (the Dispersal Plan). Figure 1 in the Dispersal Plan shows the general location of the existing camp and thus the main dispersal location. Land subject to the main dispersal action and other lands to be a focus for monitoring and dispersal if splinter camps form are shown in Attachment 2.	

* A threatened species, population or ecological community means a species, population or ecological community identified in Schedule 1, 1A or Schedule 2 of the *Threatened Species Conservation Act 1995*.

^The personal details of all Section 91 licences will be displayed in the register of Section 91 licences required under Section 104 of the *Threatened Species Conservation Act 1995*. See notes.

The known lots and DPs where dispersal actions would occur, or monitoring would take place, and ownership are:

Description	Lot	DP	Ownership
Existing camp			
Water Gardens	100	1001026	Private
Water Gardens	101	1001026	ESC
Water Gardens	334	720903	ESC
Water Gardens	332	720903	Private
Water Gardens	31	37507	Private
Water Gardens	LO ESC (drainage easement)		ESC
Water Gardens	LO ESC (drainage easement)		ESC
Water Gardens	333	720903	Crown
Water Gardens	1	518783	Private
Water Gardens	Road reserve		ESC
Catalina	386	248840	ESC
Catalina	384	248840	ESC
Bavarde Ave	Road reserve		Crown
Reserve south from cemetery	7311	1164112	ESC
Cemetery and bushland to the west	7020	1019608	ESC
23 Gregory St, Batemans Bay	388	248840	ESC
Scout Hall Rd (behind Bavarde Ave)	344	821436	ESC
Heron Rd wetland	384	248840	ESC
Catalina Country Club	1	1036103	Private
Albatross Rd wetland (extends north past Hughes St)	386	248840	ESC
Other lands to be a focus for monitoring due to suitable habitat but inappropriate location			
Catalina Country Club	1	1036103	Private
Sunshine Bay Public School, 423 Beach Rd	1	534152	Crown
Batemans Bay Public School	1	1044536	Crown
St Bernard's Primary School, 12-20 David Avenue, Batehaven	11	1112467	Private
Batemans Bay High School, 2 George Bass Drive, Batehaven	1	528523	Crown

There are other locations within 5km of the Batemans Bay GHFF camp where GHFF may move to during dispersal that are not suitable due to proximity to urban areas. Figure 3 in the Dispersal Plan identifies potential unsuitable locations.

Section 2.2 provides the criteria a site must meet for it to be suitable for a new permanent GHFF camp. If a site does not meet the criteria, dispersal of the splinter camp would take place provided:

	<ul style="list-style-type: none"> • More than 50 GHFF have settled at the site for more than three consecutive days (unless the GHFF expert ecologist is satisfied that the site is unlikely to be a temporary refuge that may be naturally abandoned), in which case the action can be undertaken if fewer than 50 GHFF are present, or in less than three days • Stakeholders (including landowners and land managers) have agreed to the timing and duration of disturbances <p>It is impossible to predict the specific locations GHFF will move to so more information about the location of dispersal actions at splinter camps cannot be provided. Council would liaise with OEH if dispersal at splinter camps is potentially inconsistent with the Dispersal Plan or if additional approval is required e.g. due to potential impacts on other threatened species (as stated in Item 13 in Table 2- Dispersal actions of the Dispersal Plan).</p>
<p>6. Full description of the action and its purpose (e.g. environmental assessment, development, etc.)</p>	<p>Description of the Action</p> <p>Eurobodalla Shire Council is proposing to disperse GHFF from the existing Batemans Bay camp to habitat that is deemed more appropriate for a flying-fox camp (refer to criteria in section 2.2 of the Dispersal Plan).</p> <p>The Dispersal Plan (Attachment 1) fully describes the action, particularly in Chapter 4, including:</p> <ul style="list-style-type: none"> • Baseline population assessment • Communications plan overview • Protocols for sick or injured animals • Overview of recruitment expectations • Dispersal actions • Establishment of a dispersal team base (for toolbox talks, debriefs etc) • Monitoring requirements • Reporting requirements • Stop work triggers <p>The dispersal actions would be adapted in response to factors such as the number of Flying-foxes, GHFF behaviour, resources available etc.</p> <p>The dispersal actions would include:</p> <ul style="list-style-type: none"> • primary activities (limited to a maximum of 2.5 hours timed to coincide with the fly-in period at dawn) <ul style="list-style-type: none"> ○ noise played through directional speakers ○ spotlights ○ vaccinated personnel moving around within the camp ○ non-vaccinated personnel using light, noise etc along the outside edges of the camp • secondary activities (implemented periodically at strategic locations under supervision of an ecologist to follow up the primary activities throughout daylight hours) <ul style="list-style-type: none"> ○ 'waving man' inflatables ○ spray deterrent onto canopy when flying-foxes are not in the camp ○ sprinklers

	<ul style="list-style-type: none"> ○ smoke from small areas (pile or controlled burn) on days of suitable weather conditions <p>Purpose of the Action</p> <p>Heavy flowering of <i>Corymbia maculata</i> (Spotted Gum) and <i>C. gummifera</i> (Bloodwood) in 2016 resulted in a substantial increase in the numbers of flying-foxes in Batemans Bay as the population migrated to the far south coast in search of nectar. The substantially increased flying-fox population has led to serious and ongoing conflict with local residents.</p> <p>Dispersal of the Batemans Bay GHFF camp is proposed with the support of the Federal and NSW Governments, because residents have been subject to high levels of noise, odour and faecal drop associated with the camp. In addition to the nuisance and loss of amenity associated with the flying-foxes, concerns have been raised by the community about possible impacts to health and the local economy.</p>
<p>7. Details of the area to be affected by the action (in hectares).</p>	<p>The known GHFF roosting habitat is about 23ha.</p> <p>Additional areas are likely to also be affected such as dispersal actions at splinter camps. It is impossible to predict the specific locations GHFF will move to so more information about the area affected by dispersal actions at splinter camps cannot be provided.</p>
<p>8. Duration and timing of the action (including staging, if any).</p>	<p>The action is expected to start as soon as possible, with substantive dispersal actions taking place before 1 August 2016. Subsequent dispersal actions would occur at any time of year where there is no evidence of stop work triggers e.g. dispersal would stop if heavily pregnant females were observed. Dispersal actions would always be under the supervision of an expert ecologist at any time of year.</p> <p>Dispersal actions would occur six days per week (excluding Sundays) from the start of dispersal activities until stop work triggers are reached or licence approvals expire.</p> <p>Primary disturbance activities would be limited to a maximum of 2.5 hours timed to coincide with the fly-in period at dawn. Secondary activities would be implemented periodically at strategic locations under supervision of an ecologist to follow up the primary activities throughout daylight hours.</p> <p>If the stop work triggers listed below are met, the dispersal action must cease for at least one day – although this would be longer for certain triggers (e.g. third trimester pregnancy). The dispersal action must not resume until an expert ecologist has assessed the condition and behaviour of the flying-foxes, and advises that it is appropriate for the dispersal action to re-commence.</p> <p>Dispersal actions (e.g. noise, lights) would not occur:</p> <ul style="list-style-type: none"> • if there are dependent young, or birthing, lactating or late-pregnancy females in the camp, or if individuals appear malnourished • during or immediately after climatic extremes such as a heatwave >38°C, severe weather (as defined by the severe weather warnings issued by the Australian Bureau of Meteorology), or during a period of significant food stress • if any of the animal welfare triggers occur on more than two days during the program, such as:

	<ul style="list-style-type: none"> ○ unacceptable levels of stress i.e. if any individual flying-fox is observed panting, saliva spreading or is location on or within 2m of the ground ○ fatigue i.e. low-flying, laboured flight, settling despite dispersal efforts ● if there is a flying-fox injury or death on site, or a death within 1 km of the dispersal site that appears to relate to the dispersal ● if there is ongoing proliferation of splinter camps in inappropriate locations ● if there appears to be potential for conservation impacts (e.g. reduction in breeding success identified through monitoring) ● if unintended impacts are created for the community around the camp (e.g. if increased power outages due to flying-foxes being electrocuted after being airborne for longer periods than usual) ● if allocated resources are exhausted or there are unacceptable personal safety risks. <p>Dispersal activities at the existing Batemans Bay camp will not be required if all of the flying-foxes have evacuated the area. However, the camp area will continue to be monitored for the duration of the approval in case flying-foxes return to roost, which could trigger the need for follow-up dispersal action. Monitoring and management of other affected sites will also be required to continue until there are no further adverse impacts associated with the dispersal.</p>
--	--

<p>9. Is the action to occur on land declared as critical habitat*? (tick appropriate box)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
--	--

10. Threatened species, populations or ecological communities to be harmed or picked.	<u>Scientific name</u>	<u>Common name</u> (if known)	<u>Conservation status</u> (i.e. critically endangered, endangered or vulnerable)	<u>Details of number of individual animals, or proportion and type of plant material</u> (e.g. fertile branchlets for herbarium specimens or whole plants or plant parts)
	<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	Vulnerable	The camp was recently estimated to comprise over 100, 000 Flying-foxes, although the extent of the camp is decreasing. While Flying-foxes are likely to be

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

				stressed by the works, the stop work triggers aim to avoid injury or death to GHFF by dispersal actions.
		Swamp oak floodplain forest of the NSW North Coast, Sydney Basin and South East Corner bioregions	Endangered Ecological Community	Dispersal actions are expected to take place within EEC. Vegetation has not been assessed against the diagnostic criteria for the EEC, it is likely based on ESC mapping. There is no removal of any EEC proposed.
		Freshwater wetlands on coastal floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions	Endangered Ecological Community	Dispersal actions are expected to take place within EEC. Vegetation has not been assessed against the diagnostic criteria for the EEC, it is likely based on ESC mapping. There is no removal of any EEC proposed.
<p>11. Species impact: <i>(please tick appropriate box)</i></p> <p>a) For action proposed on land declared as critical habitat</p> <p>or</p> <p>b) For action proposed on land <u>not</u> declared as critical habitat.</p>	<p>a species impact statement (SIS) is attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Items 12 to 25 have been addressed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>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>				
<p>12. Describe the type and condition of habitats in and adjacent to the land to be affected by the action.</p>	<p>The known GHFF roosting habitat Council is attempting to disperse GHFF from is about 23 ha.</p> <p>Dispersal actions in the existing GHFF camp is likely to comprise of EEC in varying conditions. Most EEC is degraded due to environmental weed infestation and ongoing human use. Some areas have been planted (eg as part of establishing the Water Gardens).</p>			

	<p>Water Gardens reserve comprises Swamp-Oak Floodplain Endangered Ecological Community with scattered individual Eucalypt and exotic tree species surrounding the perimeter of the reserve. Catalina Lake is likely to be Freshwater Wetlands on Coastal Floodplains EEC and is also surrounded by Eucalypt, Casuarina and exotic tree species in small patches. The extent of the GHFF camp to the west of the Catalina Country Club golf course is partly mapped as Swamp- Oak Floodplain Forest and Freshwater Wetlands EEC.</p> <p>GHFF could move to other potential GHFF habitat throughout Batemans Bay (as shown in Figure 3 of the Dispersal Plan) which could also comprise Swamp Oak Floodplain Forest, Freshwater Wetlands or other EECs.</p>
<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>The only known threatened species that is likely to be affected from the action is the Grey-headed Flying-fox. There are no other Flying-fox camps within 5km of the Batemans Bay camp at the Water Gardens and Catalina. Flying-fox camps have also been recorded at Kiola, and Moruya (within 25km).</p> <p>There are other threatened species recorded to occur in similar habitat in the locality (OEH Atlas of NSW Wildlife). These include the Gang-gang Cockatoo, Glossy-black Cockatoo, Barking Owl, Powerful Owl, Masked Owl, Sooty Owl, Yellow-bellied Glider and Squirrel Glider. Dispersal actions are not expected to significantly impact on any other threatened species and would be considered before undertaking dispersal actions at splinter camp sites (refer to Item 13 in Table 2- Dispersal actions of the Dispersal Plan).</p> <p>Council would consider the potential impacts to other threatened species if a permanent camp were to establish at any splinter camp sites (Section 2.2 of the Dispersal Plan).</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 Water Gardens reserve, the area within and around Catalina Lake and west of the Catalina Country Club golf course is known roosting habitat for Grey-headed Flying-fox.</p> <p>There are no records of other threatened species on or near the land to be affected by the main dispersal actions. However, the area may provide foraging habitat for other threatened species including Glossy Black-cockatoos. It is unlikely threatened species other the Grey-headed Flying Foxes use the habitat on a permanent basis due to the degraded nature of the land and limited food resources.</p> <p>Dispersal actions are not expected to significantly impact on any other threatened species habitat and would be considered before undertaking dispersal actions at splinter camp sites (refer to Item 13 in Table 2- Dispersal actions of the Dispersal Plan).</p> <p>Council would consider the potential impacts to other threatened species habitat if a permanent camp were to establish at any splinter camp sites (Section 2.2 of the Dispersal Plan).</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</p>	<p>The Batemans Bay Flying-fox camp covers about 23 ha and is the only known camp in the Batemans Bay urban area. Dispersal actions do not include removal or modification of known or potential roosting habitat as part of this application.</p>

<p>species and its habitat in the locality.</p>	<p>However, GHFF will effectively be excluded from all potential roosting habitat within 5km of the existing Batemans Bay camp.</p> <p>Most alternative potential GHFF roosting habitat within 5 km is considered unsuitable from a human perspective (because it is located close to urban areas) as shown in Figure 3 of the Dispersal Plan.</p> <p>There is alternative potential GHFF roosting habitat in the locality, including within 5 km as shown in Figure 3 of the Dispersal Plan. There are known Flying-fox camps recorded at Kiola, Moruya, Broulee and Budawang National Park (all within 25km).</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 dispersal actions will have a long-term negative impact on the roosting habitat available for the Grey-headed Flying-foxes in Batemans Bay. Effectively, GHFF will be excluded from most potential roosting habitat within 5 kilometres of Batemans Bay. However, there is some alternative suitable habitat away from urban areas within 5km available for GHFF to roost as shown in Figure 3 of the Dispersal Plan.</p> <p>The GHFF has an extensive range which includes coastal lowlands, coastal ranges and the coastal fall of the escarpment from Mackay, Qld to Geelong, Vic; and tablelands and western slopes in SEQ and northern NSW.</p> <p>Substantive dispersal actions will take place before 1 August 2016. Subsequent dispersal actions would occur at any time of year where there is no evidence of stop work triggers (provided in Section 3.7 of the Dispersal Plan). Dispersal actions would always be under the supervision of an expert ecologist at any time of year. As such, the risk of impacting on the lifecycle of GHFF is expected to be low.</p>
<p>17. Provide details of possible measures to avoid or ameliorate the effect of the action.</p>	<p>Substantive dispersal actions will take place before 1 August 2016. Subsequent dispersal actions would occur at any time of year where there is no evidence of stop work triggers (provided in Section 3.7 of the Dispersal Plan). The following would apply during all dispersal actions:</p> <ul style="list-style-type: none"> • The dispersal team will include ecologists that will monitor the behaviour, population, health and presence of heavily pregnant, lactating females or dependent young throughout the life of this plan. • Protocols for sick and injured animals will be discussed with wildlife carers and a triage established e.g. at Mogo Zoo. A sample protocol is provided in Appendix A of the Dispersal Plan. • Dispersal team will undertake daily tool-box talks so that the tasks to be undertaken and their work area is clearly understood, and any specific risks and requirements for that day can be discussed. • At least one licenced wildlife carer should be in attendance on the days of the dispersal. However, if the carer determines their attendance is not required, they must be 'on call'. • Care and housing of sick, injured or orphaned flying-foxes will be done in accordance with the Code of Practice for Injured, Sick and Orphaned Flying-foxes (OEH 2012). All vaccinated

members of the dispersal team will be required to read this Code and sign that they have done so in case they are involved in care or handling of any sick, injured or orphaned flying-foxes. Record keeping will be in accordance with the Code of Practice of injured, Sick and Orphaned Protected Fauna (OEH 2011).

- If the following triggers are met, the dispersal action would cease for at least one day – although this would be longer for certain triggers (e.g. third trimester pregnancy). The dispersal action must not resume until an expert ecologist has assessed the condition and behaviour of the flying-foxes, and provided further advice to the Dispersal Manager and Dispersal Director that it is appropriate for the dispersal action to re-commence. Dispersal actions would stop:

- if there are dependent young, or birthing, lactating or late-pregnancy females in the camp, or if individuals appear malnourished
- during or immediately after climatic extremes such as a heatwave >38°C, severe weather (as defined by the severe weather warnings issued by the Australian Bureau of Meteorology), or during a period of significant food stress
- if any of the animal welfare triggers occur on more than two days during the program, such as:
 - unacceptable levels of stress i.e. if any individual flying-fox is observed panting, saliva spreading or is location on or within 2 m of the ground
 - fatigue i.e. low-flying, laboured flight, settling despite dispersal efforts
- if there is a flying-fox injury or death on site, or a death within 1 km of the dispersal site that appears to relate to the dispersal
- if there is ongoing proliferation of splinter camps in inappropriate locations
- if there appears to be potential for conservation impacts (e.g. reduction in breeding success identified through monitoring)
- if unintended impacts are created for the community around the camp (e.g. if increased power outages due to flying-foxes being electrocuted after being airborne for longer periods than usual)
- if allocated resources are exhausted or there are unacceptable personal safety risks.

On any given day during the dispersal, the Dispersal Manager may redirect resources to or from particular areas in response to the behaviour of the flying-foxes. In particular, the Team Leaders will report any evidence of animal welfare issues (stress or fatigue) so that the Dispersal Manager can determine if dispersal activities should temporarily cease at that location and be redeployed to a different area / activity, or recommend to the Dispersal Director that the all dispersal activities should cease for the day.

N.B: The Chief Executive 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 24. Any additional information referred to in addressing these items 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>It is unlikely the action would have an adverse effect on the life cycle of the Grey-headed Flying-fox such that the local population would be at risk of extinction. It is not anticipated that there will be an impact on the reproductive effort and success of the GHFF.</p> <p>Substantive dispersal actions will take place before 1 August 2016. Subsequent dispersal actions would occur at any time of year where there is no evidence of stop work triggers (provided in Section 3.7 of the Dispersal Plan) including stopping if there are dependent young, or birthing, lactating or late-pregnancy females in the camp, or if individuals appear malnourished. Dispersal actions must not resume until an expert ecologist has assessed the condition and behaviour of the flying-foxes, and advises that it is appropriate for the dispersal actions to re-commence.</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>The Greg-headed Flying-fox camp at Batemans Bay is not an endangered population listed under the TSC Act.</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 of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or</p> <p>(ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction.</p>	<p>Dispersal actions will be undertaken in Swamp-Oak Floodplain Forest and Freshwater Wetlands EECs where the existing GHFF camp is located. There is potential subsequent dispersal actions at splinter camps would occur in similar or additional EECs.</p> <p>Dispersal actions would not adversely affect the extent of any EECs or adversely modify the composition of any EECs such that it's local occurrence is likely to be placed at risk of extinction because no vegetation is being removed or modified as part of this application.</p> <p>People would be walking through habitat and EECs however it is not expected to modify or damage the EECs in the long-term.</p>

<p>21. In relation to the habitat of a threatened species, population or ecological community:</p> <p>(i) the extent to which habitat is likely to be removed or modified as a result of the action proposed, and</p> <p>(ii) whether an area of 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>No GHFF habitat is proposed to be removed as part of this application, however GHFF will be excluded from the known and most potential GHFF roosting habitat within at least 5km of the existing Batemans Bay camp. There is some suitable habitat available within 5 km as shown in Figure 3 of the Dispersal Plan.</p> <p>Under the <i>Draft EPBC Act Policy Statement – Camp Management Guidelines for the Grey-headed and Spectacled flying fox</i> (DoE 2014) the Batemans Bay Flying-fox camp is recognised as being ‘nationally important’ because it contained more than 10, 000 Grey-headed Flying-foxes in more than one year in the last ten years.</p> <p>The action potentially further isolates or fragments Grey-headed Flying-fox habitat. The known roosting GHFF habitat is already fragmented however, excluding GHFF from a larger area is in effect further fragmenting potential GHFF habitat. GHFF are able to fly large distances to access roosting and foraging habitat and there is suitable habitat nearby (as shown in Figure 3 of the Dispersal Plan) and elsewhere 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>N/A- There is no declared critical habitat affected by the action.</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 action is not consistent with the objectives of the <i>Draft National Recovery Plan for the Grey-headed Flying-fox</i> (July 2009), however the Dispersal Plan includes measures to minimise adverse impacts to GHFF health and welfare.</p> <p>Council has been and will continue to address the two below actions:</p> <ul style="list-style-type: none"> • Action 5: Provide information and advice to managers, community groups and members of the public that are involved with controversial flying-fox camps • Action 6: Produce and circulate educational resources to improve public attitudes toward Grey-headed Flying-foxes, promote the recovery program to the wider community and encourage participation in recovery actions.
<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</p>	<p>Flying-fox dispersal does not constitute 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.</p>

Important information for the applicant

Processing times and fees

The *Threatened Species Conservation Act 1995* provides that the Chief Executive 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 Chief Executive 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 Chief Executive is required to advise prospective applicants of the maximum fee payable before the licence application is lodged. Therefore, prospective applicants should contact the Office of Environment and Heritage (OEH) 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 as well as 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 Chief Executive 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 species impact statement (SIS), the Chief Executive 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 Chief Executive will advise the applicant of the need to prepare a SIS.

Chief Executive's requirements for a species impact statement

Prior to the preparation of a SIS, a request for Chief Executive's requirements must be forwarded to the relevant OEH 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 Chief Executive of Office of Environment and Heritage (OEH).

* 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*.

Disclosure of Personal Information in the Public Register of s91 Licences

The Public Register provides a list of licence applications and licences granted. A person about whom personal information is contained in a public register may request that the information is removed or not placed on the register as publicly available.

Copies of all applications and licences issued under section 91 and certificates issued under section 95 of the Act are available on the OEH website at [Public register of section 91 applications, licences and certificates](#) or in hardcopy form from The Librarian, Office of Environment and Heritage, 59 Goulburn St, Sydney.

Certificates

If the Chief Executive 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 Chief Executive 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
(Please print)

Strategic Planning officer (Environment), Eurobodalla
Shire Council

Applicant's position and
organisation (if relevant)

Applicant's signature

15/6/16

Date

For more information or to lodge this form, contact the nearest branch of OEH's Regional Operations Group:

Greater Sydney

PO Box 644
Parramatta NSW 2124
Phone: 02 9995 5000

Hunter and Central Coast

PO Box 1002
Dangar NSW 2309
Phone: 02 6651 5946

Illawarra

PO Box 513
Wollongong NSW 2500
Phone: 02 4224 4150

North east

24 Moonee Street
Coffs Harbour NSW 2450
Phone: 02 6651 5946

North west

PO Box 2111
Dubbo NSW 2830
Phone: 02 6883 5300

South east

PO Box 733
Queanbeyan NSW 2620
Phone: 02 6229 7188

South west

PO Box 544
Albury NSW 2640
Phone: 02 6022 0600

Office of Environment and Heritage (NSW)
PO Box A290, Sydney South NSW 1232
Phone: 131 555 (Environment Line) Fax: 9995 5999
Email: info@environment.nsw.gov.au

April 2016
OEH 2016/0239

ATTACHMENT ONE- Batemans Bay Flying-fox Camp Dispersal Plan 2016-2019