



Tanya Cross

Natural Assets Coordinator
Mid Coast Council
44 961 208 161
PO Box 450 Forster 2428

Our ref: DOC19/728173-1

Your ref:

Licence number: C0005220

Contact: Vanessa Owen, ph: 4927 3116

31 October 2019

Dear Ms Cross

Threatened Species Licence to Operate Wingham Bight Cemetery

I refer to your application to the Department of Planning, Industry and Environment (the Department) dated 23 August 2019 for a Threatened Species Licence, a class of Biodiversity Conservation Licence under Part 2 of the *Biodiversity Conservation Act 2016* (**BC Act**), to operate Wingham Bight Cemetery.

The Department understands that operation of Wingham Bight Cemetery includes burials and maintenance activities such as mowing and headstone repair in accordance with '*Management Plan for Wingham Bight Cemetery and surrounding Crown Lands to conserve the Pale Yellow Doubletail (Diuris flavescens)*' (prepared by Paget 2010 and updated August 2019).

I have assessed your application in accordance with the provisions of the BC Act and the *Biodiversity Conservation Regulation 2017* and have decided to grant a threatened species licence for the proposed activity.

A copy of your new Threatened Species Licence is enclosed. Please note that your licence is subject to conditions. These conditions are outlined in the licence. It is an offence under s2.14(4) of the BC Act to breach a condition of a licence.

A public register of all biodiversity conservation licences and all decisions made to vary, suspend or cancel those licences can be viewed at

<https://www.environment.nsw.gov.au/threatenedspecies/S91TascaRegisterByDate.htm>

If you have any further questions regarding this matter, please contact Steven Cox on 4927 3140 or via email at rog.hcc@environment.nsw.gov.au

Yours sincerely,

NICOLE DAVIS
A/Senior Team Leader Planning
Hunter Central Coast Branch
Biodiversity and Conservation Division

Threatened Species Licence

Biodiversity Conservation Act 2016



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Threatened Species Licence, a class of Biodiversity Conservation Licence under Part 2 of the *Biodiversity Conservation Act 2016*, to:

- harm or pick a threatened species, threatened ecological community or protected plant or animal
- damage habitat of a threatened species or threatened ecological community

Licence number: C0005220
Date granted: October 2019
Date of expiry: October 2024

Granted To:

Tanya Cross
Natural Assets Coordinator
Mid Coast Council
44 961 208 161
PO Box 450 Forster 2428

Description of proposed works:

The proposed works would be undertaken on Lot 1 DP 1155351, Lot 7015 DP 1001487, Lot 269 DP 753202, Lot 7001 DP 10011488, Lot 7002 DP1027058, Lot 7003 DP 1027058, Lot 7004 DP 1001486, Lot 7301 DP 1156555, at Wingham Bight Cemetery in Mid Coast Local Government Area. Approximately 0.5 ha will be affected by the actions in the Management Plan (Figure 1).

The proposed work is the operation of Wingham Bight Cemetery and includes burials and maintenance activities such as mowing and headstone repair in accordance with '*Management Plan for Wingham Bight Cemetery and surrounding Crown Lands to conserve the Pale Yellow Doubletail (Diuris flavescens)*' (prepared by Paget 2010 and updated August 2019).

The actions in the management plan, such as mowing outside the flowering season and controlling soil disturbance, are designed to minimise distance to the species. Other management actions are intended to restore habitat through weed control and strategic mowing to promote more suitable habitat for recruitment of the orchid.

Threatened Species Licence

Biodiversity Conservation Act 2016



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Figure 1 Wingham Bight Cemetery and surrounding Crown Lands

Licence conditions:

1. The works must be carried out in accordance with the information provided in the application provided to the Department of Planning Industry and Environment on 23 August 2019, including 'Management Plan for Wingham Bight Cemetery and surrounding Crown Lands to conserve the Pale Yellow Doubletail (*Diuris flavescens*)' (prepared by Paget 2010 and updated August 2019), unless otherwise stated in the following conditions.
2. Council employees and contractors working at Wingham Bight Cemetery must be inducted and familiar with *Diuris flavescens* and the requirements of the 'Management Plan for Wingham Bight Cemetery and surrounding Crown Lands to conserve the Pale Yellow Doubletail (*Diuris*

Licence No.: C0005220

Application Ref No. A12579-2019

Page 3 of 5

Threatened Species Licence

Biodiversity Conservation Act 2016



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flavescens)' (prepared by Paget 2010 and updated August 2019). Induction is to include the need to avoid impacts to *Diuris flavescens* plants and habitat via vehicle access and soil compaction.

3. Mowing and maintenance works such as weed removal, spraying and headstone replacement must not be carried out during the months of September, October or November each year, outside *Diuris flavescens* flowering and seed set period, so as not to impact on the species' ability to reproduce.
4. Pre-booked sites which would destroy *Diuris flavescens* must be relocated to alternate locations where no impact to *Diuris flavescens* would occur.
5. All new un-booked sites must not harm, impact or encroach on any known locations of the orchid by referring to maps of all previously known locations of *Diuris flavescens*.
6. The mower blade level must be set minimum five centimetres above the ground to protect any orchid leaves.
7. No spoil, mulch or waste is permitted within *Diuris flavescens* habitat. Any spoil, mulch and other waste must be removed from adjoining woodland habitat outside the months of September, October and November.
8. A monitoring program must be established to determine if rabbits or other feral herbivores are impacting *Diuris flavescens*. A control plan must be developed in consultation with Local Land Services if required.
9. An annual report must be submitted by 1 March each year to the Senior Team Leader Planning, Hunter Central Coast via email to rog.hcc@environment.nsw.gov.au. The annual report must include:
 - a. 'Table 1 Management Actions' from *Management Plan for Wingham Bight Cemetery and surrounding Crown Lands to conserve the Pale Yellow Doubletail (Diuris flavescens)*' (prepared by Paget 2010 and updated August 2019), with additional columns ('achieved' and 'comments') that detail if each management action was achieved and any relevant comments for that year.
 - b. Additional rows that detail each of the conditions of this Threatened Species Licence.
 - c. A report from a suitably qualified and experienced ecologist detailing and assessing the performance of the proposed works on the population dynamics and ongoing viability of *Diuris flavescens*, including updated mapping and counts of *Diuris flavescens* over the site.

The results of these reports will be used to recommend further action or amendments to the management plan.

10. Mowing and maintenance activities must not occur during wet weather or result in wheel ruts or soil compaction.
11. Mid Coast Council must apply for a new Threatened Species Licence prior to the expiry date of this licence if Council wish to continue with the activities. The new Threatened Species Licence will need to include an evaluation of the success of the management actions shown in Table 1 management plan and an update of the management plan where required.

Threatened Species Licence

Biodiversity Conservation Act 2016



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Note it is an offence under s2.14(4) of the *Biodiversity Conservation Act 2016* to breach a condition of a licence.

A handwritten signature in black ink that reads 'Nicole Davis'.

NICOLE DAVIS
A/ Senior Team Leader Planning
Hunter Central Coast
Biodiversity and Conservation Division

(by Delegation)