

Section 95(2) Certificate

Threatened Species Conservation Act 1995



Office of
Environment
& Heritage

Your reference :
Our reference : A10960-2014
Contact : Sarah Burke 9995 6848

Dorothy Malysiak
OHL Construction Pacific
PO Box 6275
ROUSE HILL TOWN CENTRE NSW 2155

Dear Ms Malysiak

APPLICATION FOR LICENCE TO HARM THREATENED SPECIES, POPULATIONS, ECOLOGICAL COMMUNITIES OR TO DAMAGE THEIR HABITATS

I refer to your application for a licence to harm threatened species, populations or ecological communities, and/or damage their habitats under section 91 of the *Threatened Species Conservation Act 1995* (TSC Act), through translocation of individuals of Cumberland Land Snail (CLS, *Meridolum corneovirens*), which was received by the Office of Environment and Heritage (OEH) on 23 July 2014. I note additional information in relation to the application was received by OEH via email on 12 August 2014.

I understand that this licence application is specifically for the transfer of collected CLS to a recipient site, and it does not relate to the collection of the CLS, which I understand has already occurred during pre-clearance surveys, with the assistance of ecologists, and in accordance with the Roads and Maritime Service approval for the Schofields Road upgrade Stage 3.

I have considered the application and supporting information provided and I have determined that the proposed action is not likely to significantly affect threatened species, populations or ecological communities, or their habitats. Therefore, a licence is not required under the TSC Act for the proposed action.

A certificate to this effect has been issued (enclosed) under section 95 of the TSC Act subject to the conditions prescribed in the certificate.

You should note that it is an offence under section 133(4) of the *National Parks and Wildlife Act 1974* to contravene or fail to comply with any condition or restriction attached to the certificate.

If you have any further questions in relation to this matter, please contact Sarah Burke on phone 9995 6848.

Yours sincerely

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DAVID TREWIN
Regional Manager, Greater Sydney
Regional Operations & Heritage

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& Heritage

Issued To:

Dorothy Malysiak
OHL York Joint Venture
PO Box 6275
ROUSE HILL TOWN CENTRE NSW 2155

Certificate no. : C0000520

Issue Date:

Expiry date: 31 December 2015

I certify that the Proposed Action as described below is not likely to significantly affect threatened species, populations, ecological communities or their habitats and consequently the Proposed Action does not require a licence under the *Threatened Species Conservation Act 1995*.

An act that is the subject of this certificate is a defence against prosecution under sections 118A-118D of the *National Parks and Wildlife Act 1974*.

DESCRIPTION OF PROPOSED ACTION

The proposed action:

- A. Transfer of individuals of Cumberland Land Snail (*Meridolum corneovirens*), collected prior to construction works for the Schofields Road upgrade Stage 3, to a recipient site nearby owned by Urban Growth NSW, or alternatively, to Cudgegong Reserve or Knudsen Reserve, as indicated by email on 12 August 2014.

RELEVANT CONDITIONS

The holder of the certificate must ensure that:

1. The translocation is to be undertaken in accordance with the Translocation Strategy (UBM July 2014).
2. Impacts to any Cumberland Land Snails at the recipient sites must be minimised as far as possible. Surveys must be completed of the proposed recipient site, and if moderate to high densities of Cumberland Lands Snails occupy the proposed recipient site, an alternative recipient site must be chosen.
3. Prior to relocation to the recipient site, an assessment must be carried out as to whether some augmentation of habitat is required, in the form of logs and/or leaf litter piles, to increase the carrying capacity of the recipient site. Any logs or leaf litter brought into the site must be free of weeds or weed propagules.

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4. Weeds that may impact on CLS survival within the recipient area, shall be removed prior to snail relocation.
5. If habitat areas are dry, they are to be watered (not soaked) to pre moisten the soil substrate.
6. The CLS are to be positioned by the fauna ecologist as per the Translocation Strategy, and moistened with a water mist spray to provide the snails with some additional moisture/humidity until they burrow into the topsoil.
7. A copy of the report that is to be prepared for RMS on the results of the monitoring, should also be forwarded to OEH.

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DAVID TREWIN

Regional Manager, Greater Sydney

Regional Operations & Heritage

INFORMATION AND WARNINGS

- This certificate is issued under section 95(2) of the *Threatened Species Conservation Act 1995*.
- It is an offence against section 133(4) of the *National Parks and Wildlife Act 1974*, for the holder of this certificate to contravene or fail to comply with any condition or restriction of this certificate.
- The maximum penalty for a corporation is 200 penalty units and, in the case of a continuing offence, a further penalty of 20 penalty units for each day that the offence continues.
- The maximum penalty for an individual is 100 penalty units and, in the case of a continuing offence, a further penalty of 10 penalty units for each day that the offence continues.