



Your reference :
Our reference : DOC10/40892, FIL09/2376
Contact : Mathew Makeham (02) 6229 7002

BEGA VALLEY SHIRE COUNCIL
PO BOX 492
BEGA NSW 2550

Dear Mr Sartori

RE: Threatened Species Conservation Act - Section 95 Certificate - Bega Valley Shire Council – Dr George Mountain - *Acacia georgensis* (Bega Wattle)

I refer to your Section 91 licence application under the Threatened Species Conservation Act 1995 (TSC Act) received by the Department of Environment, Climate Change and Water (DECCW) on 08-Sep-2010 to remove re-growth from inside and around the perimeter of a Radio communications compound on Dr George Mountain.

The DECCW understands your proposed works at Dr George Mountain to reduce the bushfire risk to the compound and improve/protect emergency radio coverage are to be undertaken in an area containing a population of a state listed threatened species, *Acacia georgensis* (Bega Wattle).

The DECCW understands your application is for a one off treatment and that future management of this site, such as additional mulching and ground hardening to prevent regrowth around the compound will require prior consultations with DECCW to ensure adverse impacts do not occur on the population of *Acacia georgensis*.

DECCW has 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 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 Mathew Makeham on 6229 7002.

Yours sincerely

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Mr Julian Thompson

Section 95(2) Certificate

Threatened Species Conservation Act 1995

Department of
Environment, Climate Change and Water NSW



Unit Head

South - Queanbeyan

Section 95(2) Certificate

Threatened Species Conservation Act 1995



Environment,
Climate Change
& Water

Issued To:

BEGA VALLEY SHIRE COUNCIL,
ABN 26 987 935 332,
PO BOX 492,
BEGA NSW 2550
Fax: (02) 64 992 200

Certificate no. : 1120199
Issue Date: 14-Oct-2010
Expiry date: 5 October 2011

I certify that picking/harming of *Acacia georgensis* (Bega Wattle) for the purposes of bushfire hazard reduction and to maintain radio coverage as described in Council's Section 91 application (dated 8 Sept, 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 for a one off treatment and is limited to removing/mulching vegetation within the radio communications compound and the immediate area surrounding the compound fence (defined in condition 2). It does not cover works for obtain extra mulch such as cutting vegetation in adjacent areas, for example, the power line easement. It is determined that the impacts of obtaining mulch from areas outside of the immediate compound were not apart of the s91 application and therefore were not fully assessed in the corresponding Flora and Fauna Assessment Report.

DECCW advise that any long term management actions to reduce regrowth in and around the radio communications compound actions, such as additional mulching or ground hardening will are not covered by this certificate and will require prior consultations with DECCW to ensure adverse impacts do not occur on the population of *Acacia georgensis*.

The proposed vegetation removal is to be undertaken subject to the following conditions.

1. All work to be undertaken by hand to minimise disturbance;
2. All work will be restricted to 4m from the compound fence or 4m on the western side to the top of the built-up rock bank;
3. The extent of works will be clearly defined in the field with marking tape;
4. All *Acacia georgensis* individuals to be removed must be clearing marked in the field with either tape or spray paint;
5. All people working on the site to be advised of the extent of disturbance;
6. To prevent introducing weeds and pathogens, no extra material, including mulch, soil or gravel is to brought in from off-site.

Section 95(2) Certificate

Threatened Species Conservation Act 1995

Department of
Environment, Climate Change and Water NSW



7. No additional mulch is to be gathered from outside the disturbance area, as defined in condition 2.
8. Residual herbicides are not to be used on the site.
9. Vehicles used on site are to be cleared of mud and soil to reduce the chance of introducing weeds or *Phytophthora* to the area.
10. Work should be undertaken in dry conditions to avoid vehicles introducing weeds or *Phytophthora* to the area.

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

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Mr Julian Thompson

Unit Head

South - Queanbeyan