



Your reference :
Our reference :
Document no. : 1115195
Contact : Bob Buchanan 4224 4100

TAHMOOR COAL PTY LTD
PO BOX 100, TAHMOOR, NSW

Dear Sir

RE: Variation of Section 95 Certificate to remove four *Persoonia bargoensis* plants and 1.8 ha of Shale Sandstone Transitional Forest

I refer to your Section 91 licence application received by the Department of Environment, Climate Change and Water (DECCW) on 02-Jun-2010 for construction of a stormwater pipeline requiring the removal of four *Persoonia bargoensis* plants and the clearing of approximately 1.8 ha of Shale Sandstone Transition Forest regrowth listed as an endangered ecological community.

A Section 95 certificate (No: 1102338) was issued to Tahmoor Coal Pty Ltd for this project on 19 June 2009. However the DECCW understands that the project was delayed unavoidably and the certificate has expired. DECCW has decided to vary the certificate by extending the expiry date for one year

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 Bob Buchanan on 4224 4100.

Yours sincerely

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Mr William Dove
Head Regional Operations Unit
Metropolitan

Section 95(2) Certificate - Variation



Environment,
Climate Change
& Water

Threatened Species Conservation Act 1995

Issued To:

TAHMOOR COAL PTY LTD,
Trading as TAHMOOR COLLIERY,
ABN 97 076 663 968,
PO BOX 100,
TAHMOOR NSW 2573
Fax: (02)4640 0140

Certificate no. : MEWO006
Issue Date: 16-Jun-2010
Expiry Date: 1 June 2011

BACKGROUND

- A. The DECCW issued Certificate No. MEWO006 to TAHMOOR COAL PTY LTD on 19-Jun-2009.
- B. On 2 June 2010 Tahmoor Coal Pty Ltd advised DECCW that due to unexpected delays in the execution of the works by the contractor the certificate is no longer valid as the expiry date has passed.
- C. DECCW has decided to vary the certificate by extending the expiry date for one year.

VARIATION OF SECTION 95(2) CERTIFICATE

- 1. By this notice the DECCW varies Certificate No. MEWO006 in the following manner:

The expiry date for the certificate which states that:

"Expiry Date: 15 May 2010

is replaced by:

Expiry Date: 1 June 2011

.....
Mr William Dove

Head Regional Operations Unit

Metropolitan