

Your reference :
Our reference : DOC08/49059, LIC 08/1667
Contact : Kirsty Sutherland, 66402511

Coffs Harbour Bushland Regeneration Group
PO Box 6672
COFFS HARBOUR 2450

Attention: Mr Brent Hely

Dear Mr Hely

Section 91 Licence Application to Translocate Vegetation Consistent with the Endangered Ecological Community; Swamp Sclerophyll Forest on Coastal Floodplains at Macauleys Headland.

The Department of Environment and Climate Change (DECC) has completed its review of the above mentioned licence application submitted by Mr Brent Hely on behalf of Mr Steve Gooley of Beach Court Pty Ltd, received on 22 October 2008.

Having considered the matters in Section 94(2) of the *Threatened Species Conservation Act 1995* (TSC Act) DECC has determined that the proposed action is not likely to significantly affect threatened species or their habitats. Consequently a Section 91 licence under the TSC Act is not required, and a Section 95(2) certificate (attached) certifying that the proposed action does not require a licence, has been issued. Please note that the certificate applies only to those actions and area specified in the licence application and is subject to the prescribed conditions. The certificate will be valid for two years from the date of issue to permit a review of the translocation actions and associated impacts.

If you have any inquiries please telephone Kirsty Sutherland on 66402511.

Yours sincerely

ALEX PURVIS
Manager North Coast Region
Environment Protection and Regulation

cc Mr Steve Gooley, Beach Court Proprietary Ltd

The Department of Environment and Conservation NSW is now known as
the Department of Environment and Climate Change NSW

Locked bag 914
Federation House, Level 7, 24 Moonee Street
Coffs Harbour NSW 2450
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THREATENED SPECIES CONSERVATION ACT 1995

SECTION 95(2) CERTIFICATE

Certificate No: NC017
Date issued: 9 December 2008
Date of expiry: 9 December 2010

Issued to: Mr Brent Hely Coffs Harbour Bushland Regeneration Group PO Box 6672 COFFS HARBOUR 2450
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I certify that, provided that the measures listed in the application and the attached conditions below are implemented, the proposed translocation of vegetation consistent with Swamp Sclerophyll Endangered Ecological Community from Lot 100, DP 1080766 and Lot 301, DP 791505 into Lot 1 DP 702808 has been determined under Section 94(2) of the *Threatened Species Conservation Act 1995* as unlikely to significantly affect threatened species, populations, ecological communities or their habitats and consequently does not require a licence under the *Threatened Species Conservation Act, 1995* pursuant to Section 95(2).

Conditions

1. Compliance

a) The action must be undertaken in accordance with the outline provided in the licence application, unless modified by the following conditions.

b) The action must be consistent with the Development Application No. 370/06 and the associated Vegetation Management Plan for Lot 100, DP 1080766 and Lot 301, DP 791505.

Reason: To ensure compliance with the ameliorative measures incorporated into the licence application and the development application approval and conditions as determined by Coffs Harbour City Council dated 21 December 2005.

2. Monitoring

Monitoring to demonstrate the success rate of the translocated Swamp Sclerophyll EEC vegetation must be undertaken and provided to the DECC Grafton EPRG office within 6 months of the translocation action and then 6 monthly for the life of the certificate.

Reason: To monitor the success of the translocation.

3. Ability to revoke the certificate

This certificate may be revoked at any time by the Director General of DECC or her delegate, by advice in writing to the holder of the certificate.

Reason: To allow review of the licensing of the action in circumstances deemed appropriate.

ALEX PURVIS
Manager North Coast Region
Environment Protection and Regulation