



Your reference : NA03442.01 Iluka Exchange TE
Our reference : DOC10/39569
Contact : Krister Waern 66402503

TOTAL COMMUNICATIONS INFRASTRUCTURE

PO Box 125

ST LEONARDS NSW 1590

Dear Vesna Greet

RE: Section 95 Certificate to relocate an existing Osprey Nest.

I refer to your Section 91 licence application received by the Department of Environment, Climate Change and Water (DECCW) on 26-Aug-2010 to relocate an existing Osprey Nest at Telstra Exchange, 75 Charles Street, Iluka.

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.

A requirement of this certificate is that the relocation of the nest is only to occur after the young have fledged and left the nest, and the nest is no longer being used.

DECCW also recommends that monitoring of the nest occurs during the forthcoming breeding season to assess the use of the site by breeding Osprey.

If you have any further questions in relation to this matter, please contact Krister Waern on 66402503.

Yours sincerely

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Mr Brett Nudd

Acting Manager North Coast Region

North East - North Coast

Section 95(2) Certificate

Threatened Species Conservation Act 1995



Environment,
Climate Change
& Water

Issued To:

TOTAL COMMUNICATIONS INFRASTRUCTURE,
ABN 46 072 369 870,
PO Box 125,
ST LEONARDS NSW 1590

Certificate no. : 1119199
Issue Date: 22-Sep-2010
Expiry date: 31 January 2011

I certify that harming of Ospreys (*Pandion haliaetus cristatus*) for the purposes of relocating an existing nest as described your Section 91 application, 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).

A requirement of this certificate is that the relocation of the nest is only to occur after the young have fledged and left the nest, and the nest is no longer being used.

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

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Mr Brett Nudd
Acting Manager North Coast Region
North East - North Coast

Dated: 22-Sep-2010