

Our reference : DOC 07/5114, File No. FIL06/918 s.95
Contact : Hamish Rutherford, (02) 4908 6823

ABB Australia Pty Limited
PO Box 1401
CANNING VALE WA 6970

Attention: Ms Gerri Scott

Dear Madam

**PROPOSED MAINTENANCE WORK – TELECOMMUNICATIONS TOWER
3 WALLIS STREET, FORSTER, NSW**

I write in reference to application to the Department of Environment and Conservation (DEC) dated 7 February 2007 to harm or pick a threatened species, population, or ecological community, or damage habitat under the *Threatened Species Conservation Act 1995* (TSC Act) in regard to the proposed transfer of a non active *Pandion haliaetus* Osprey associated with maintenance work at the abovementioned address.

DEC has determined this application under Section 94(2) of the TSC Act and considers that it will not have a significant affect on 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).

Accordingly please find Certificate No. NEHU001 issued in respect of this matter.

If you require any further information regarding this matter please contact Hamish Rutherford on (02) 4908 6823.

Yours sincerely

GRAHAME CLARKE
Manager Hunter Region
North East Branch
Environment Protection and Regulation

Att: TSC Act s95(2) Certificate No. HEHU001.

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THREATENED SPECIES CONSERVATION ACT 1995

SECTION 95(2) CERTIFICATE

Certificate No: NEHU001

Date issued:

2 March 2007

Date of expiry:

6 April 2007

Issued to:

ABB Australia Pty Limited

PO Box 1401

Canning Vale WA 6970

I certify that the proposed transfer of a non active *Pandion haliaetus* Osprey nest to a nesting platform outside breeding season on the telecommunication tower at 3 Wallis Street, Forster 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).

RELEVANT CONDITIONS:

- The works must be carried out in accordance with the information provided in the application provided to DEC dated 7 February 2007.

GRAHAME CLARKE

Manager Hunter Region

Environment Protection and Regulation