

Our Reference ISEMS 1111270
Contact Marc Irvin, Ph 02 68835348

CENTENNIAL SPRINGVALE PTY LIMITED
LEVEL 18, BT TOWER, 1 MARKET STREET, SYDNEY, NSW

Dear Mr Seibel-Barnes

RE: Section 95 Certificate undertake hand removal of weeds in two swamp EECs

I refer to your Section 91 licence application received by the Department of Environment, Climate Change and Water (DECCW) on 27-Nov-2009 to remove weeds from East Wolgan Swamp and Narrow Swamp. The DECCW understands that weed removal will only be undertaken by hand and where necessary using non-motorised hand tools, and that no herbicide, weedicide or other chemicals or sprays will be used.

This section 91 application applies to the removal of weeds, in the specified swamps only, and does not allow for work to be undertaken in any other Newnes Plateau Shrub Swamp or other EECs. As well as the information supplied in the application and associate correspondence, DECCW understands that Mr Seibel-Barnes has undertaken to implement the following mitigation measures.

As specified in information supplied by Centennial in support of the application, the weed removal program is to be ongoing until such time as a stabilisation and/or rehabilitation plan has been developed and approved. An extension to the current expiry date is to be sought if weeds continue to establish in the swamps. In support of the s91 application Centennial also supplied correspondence from DEWHA that indicated the weed removal activities as described in the application are unlikely to be controlled.

Mitigation and avoidance measures

- Weed control measures will be conducted during seasonal contexts and at frequencies to prevent weed species maturing and setting seed;
- Weed removal will be undertaken by hand to prevent potential contamination of habitats with herbicides;
- Weed removal will be undertaken by personnel proficient in distinguishing between weed species and juvenile / maturing native vegetation; and
- All weeds gathered from the site will be disposed of in such a manner that it is impossible for them to propagate elsewhere by vegetative or seed dispersal means;
- Wherever possible, approach and exit the specified EEC swamps from different directions to avoid trails establishing in the EEC.

Implement appropriate environmental hygiene protocols to avoid exotic seed, and or pathogens from contaminating the EEC. For example, clean footwear with tough bristled brush to remove foreign seeds;

Section 95(2) Certificate

Threatened Species Conservation Act 1995

Department of
Environment, Climate Change and Water NSW



spray footwear with water/metho mix to kill pathogens (e.g. *Phytophthora cinnamom*); ensure clothing is free of burrs and other seed before approaching the EEC.

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 Marc Irvin on 02 6883 5300.

Yours sincerely

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Dr Robert Taylor

Manager Environment & Conservation Programs

North West

for the Director-General

Department of Environment, Climate Change and Water

Section 95(2) Certificate

Threatened Species Conservation Act 1995

Department of
Environment, Climate Change and Water NSW



Issued To:

**CENTENNIAL SPRINGVALE PTY LIMITED,
ABN 64 052 096 812,
LEVEL 18, BT TOWER, 1 MARKET STREET,
SYDNEY NSW 2000
Fax: (02) 9261 5533**

**Certificate no. : 1111270
Issue Date: 10-Feb-2010
Expiry date: 30/06/2012**

I certify that the proposed activities in Newnes Plateau Shrub Swamp in the Sydney Basin Bioregion, Endangered Ecological Community, and other threatened species associated with these swamps, for the purposes of weed removal as described in 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).

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

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Dr Robert Taylor
Manager Environment & Conservation Programs
North West

for the Director-General
Department of Environment, Climate Change and Water