



Your reference :  
Our reference : ISEMS 1104672  
Document no. : 1111312  
Contact : Marc Irvin, phone 02 6883 5300

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

Dear Mr Seibel-Barnes

**RE: Variation of Section 95 Certificate to install three ground water piezometers**

I refer to your Section 91 licence application received by the Department of Environment, Climate Change and Water (DECCW) on 03-Feb-2010 to vary the expiry data of the previously issued s95 certificate number 1104672, the details of which are repeated below. The variation is approved and is attached.

I refer to your Section 91 licence application received by the Department of Environment, Climate Change and Water (DECCW) on 29-Jun-2009 to install three piezometers. The DECCW understands that piezometers will be installed by hand in an 1 x 1 m area at each location. Trimming of vegetation in this 1 x 1 m area will only be done if necessary to allow proper installation and use of the piezometers. Once installed and functioning, the piezometers will be accessed every two months to collect data.

This section 91 application applies to the removal of vegetation, and or harm to the specified location only, and does not allow for installation of additional piezometers in any other Newnes Plateau Shrub Swamp or other EECs. As well as the information supplied in the application and associate correspondence the DECC understands that Mr Seibel-Barnes has undertaken to implement the following mitigation and avoidance measures.

**Mitigation and avoidance measures**

- Piezometers are to be placed away from permanently pooled, flowing, and or open water within the NPSS EEC to avoid direct impacts on the habitat of the Blue Mountains Water Skink.
- If vegetation is required to be removed to establish a piezometer site, only the absolute minimum should be removed, plants should be trimmed only (not entire plants removed). If removal of entire plants is required, consideration should be given to moving the site. Even if individual plants are not listed as threatened, they still form part of the listed EEC.
- Piezometers are to be placed greater than three meters from threatened plant species, and species considered to otherwise be rare (e.g. *Olearia quercifolia*), within the NPSS EEC to avoid direct impacts on these species. It is recommended a botanist conduct an inspection of the piezometer sites prior to installation.
- Do not remove fallen timber from the sites. Move the location of site to avoid disturbance of such habitat.

## Section 95(2) Certificate - Variation

Threatened Species Conservation Act 1995

Department of  
Environment, Climate Change and Water NSW



- Do not remove fallen timber from the EEC to make access to the site easier, or assist establishment of access tracks. In order to prevent trails from forming and damage to the EEC, no more than two persons are to walk into the EEC to collect bimonthly piezometer data.
- Wherever possible, approach and exit the piezometer sites within the EEC from different directions to avoid trails establishing in the ECC.
- 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; 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.

Dr Robert Taylor  
Manager Environment & Conservation Programs  
North West

# Section 95(2) Certificate - Variation

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. : 1104672  
Issue Date: 10-Feb-2010  
Expiry Date: 30/03/2010**

## BACKGROUND

- A. The DECCW issued Certificate No. 1104672 to CENTENNIAL SPRINGVALE PTY LIMITED on 04-Sep-2009.
- B. The piezometers, the subject of the previous s95 approval have not yet been installed. The piezometers were also the subject of a referral forwarded to the Department of Environment Water Heritage and Arts in late December 2009. The piezometers were not installed because Springvale was awaiting the outcome of the referral. The referral was determined as a not controlled activity.

## VARIATION OF SECTION 95(2) CERTIFICATE

1. By this notice the DECCW varies Certificate No. 1104672 in the following manner:
- The certificate expiry date which states:
- "30/10/2009".
- is replaced by:
- "30/03/2010"

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**Dr Robert Taylor**

**Manager Environment & Conservation Programs**

**for the Director-General**

**Department of Environment, Climate Change and Water**