CENTENNIAL ANGUS PLACE PTY LIMITED
LEVEL 18, BT TOWER, 1 MARKET STREET
SYDNEY NSW 2000

Dear Mr Hornshaw

RE: Section 95 Certificate to install five piezometers in Swamp Endangered Ecological Communities.

I refer to your Section 91 licence application received by the Office of Environment and Heritage (OEH) on 06-Jun-2011 to install equipment that allows the measurement of the water table within the soil profile of Twin Gully Swamp (NPSS – TSC Act), and Tri-star Swamp (THPS – EPBC Act) by:

- Install Piezometers in five swamp locations for the duration of the monitoring project;
- Use a hand auger to create a 10 cm diameter hole for each Piezometer to be installed into the swamps;
- Where necessary trimming plants within a one meter square area to allow Piezometer installation;
- Access the Piezometers every two months for the purpose of measurement and data collection from the Piezometers.
- Coordinates for piezometer locations are (GDA 94 zone 56):
  - AP 1 – E – 236 898, N – 6307 154
  - AP 2 – E – 237 554, N – 6307 297
  - AP 3 – E – 237 446, N – 6306 773
  - AP 4 – E – 236 437, N – 6308 765
  - AP 6 – E – 237 109, N – 6311 451

The action involves the installation of five piezometer wells in Newnes Plateau Shrub Swamps and one in Temperate Highland Peat Swamps to monitor groundwater levels and detect any changes which may or may not result from mine subsidence. This monitoring program is required by OEH as part of the approval process for the mine. The installation of the one piezometer in the EPBC listed Temperate Highland Peat Swamp is not usually assessed through the TSC s91 application process. However, as the mapping available for the area is at a scale that could contain some variation when compared to actual on ground situations, the inclusion of the THPS site has been included on a precautionary basis.
No vehicles will be required to access the well sites during or post construction.

The installation of the piezometers will be undertaken in a 1 x 1 m area at each location. Trimming of vegetation 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. In addition to the application, further measures to prevent impact from the installation and use of the piezometers are included in Attachment 1 below.

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 5348.

Yours sincerely

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Dr Robert Taylor
Manager Environment & Conservation Programs
North West - Dubbo
Section 95(2) Certificate
Threatened Species Conservation Act 1995

Issued To:
CENTENNIAL ANGUS PLACE PTY LIMITED,
ABN 87 101 508 945,
LEVEL 18, BT TOWER, 1 MARKET STREET,
SYDNEY NSW 2000
Fax: (02)92998330

Certificate no. : 1129459
Issue Date: 29-Aug-2011
Expiry date: 30th December 2011

I certify that picking/harming of Newnes Plateau Shrub Swamp in the Sydney Basin Bioregion, Endangered Ecological Community, and other threatened species associated with these swamps, for the purposes of installation of five piezometers as described in your Section 91 application received by the Office of Environment and Heritage (OEH) on 06-Jun-2011, 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). The installation must be undertaken using the mitigation measures outlined in Attachment 1.

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

Dr Robert Taylor
Manager Environment & Conservation Programs
North West - Dubbo
Attachment 1

Mitigation 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, and 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.

- 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 occurring to the EEC, no more that two persons are to walk into the EEC to collect bimonthly piezometer data.

- Where ever 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 form 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 cinnamon*); ensure clothing is free of burrs and other seed before approaching the EEC.